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**Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance: special economic assistance to individual countries or regions**

# Special assistance for the economic recovery and reconstruction of the Democratic Republic of the Congo

## Report of the Secretary-General**

*Summary*

Pursuant to General Assembly resolution 57/146, the present report describes the special assistance provided by the United Nations system and other development partners to the Democratic Republic of the Congo for the country's economic recovery and reconstruction. This assistance was provided in a context characterized, politically, by the continuation and conclusion of the inter-Congolese negotiations begun in South Africa in October 2001 and by the ongoing implementation of the macroeconomic programme launched by the Government in April 2001.

The signing of the Final Act of the inter-Congolese political negotiations on 2 April 2003 in Sun City, South Africa, offers encouraging prospects for a peaceful resolution of the country's political crisis. The President of the Republic signed a decree on 30 June 2003 appointing the members of the Transitional Government, and under the new timetable, all transitional institutions were scheduled to start activities on 17 July 2003.

The Security and humanitarian situation remains a matter of concern. The persistence of local conflicts, mainly in Ituri and the two Kivu provinces, has exacerbated the thorny problem of internally displaced persons, who now number more than 2.5 million. Access to these vulnerable persons is not easy, owing to lack

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of security in the areas concerned and the fact that people are widely dispersed. The deployment of the Interim Emergency Multinational Force in Bunia under a mandate from the Security Council has stabilized the situation in that city.

Despite significant macroeconomic advances, particularly in controlling inflation, the social situation remains precarious. The great majority of the population continue to live below the poverty line.

Faced with these various challenges, agencies of the United Nations system have provided technical, material and financial assistance in three areas: (a) support for the transition process; (b) support for democratic governance and poverty reduction; and (c) emergency humanitarian assistance.

Support for the peace process has involved: (a) assistance in implementing the Global and All-Inclusive Agreement; (b) assistance to the Ituri peace process through the convening and organization of the Ituri Pacification Commission (IPC); (c) preparation of the national programme for the disarmament, demobilization and reintegration of Congolese forces; (d) formulation and implementation of special disarmament, demobilization and reintegration projects; and (e) demobilization and reintegration of child soldiers.

Support for democratic governance and poverty reduction has involved: (a) promoting human rights and a culture of peace through training and awareness-raising activities; (b) continuing capacity-building activities in the public administration and preparing a civil service reform; (c) combating HIV/AIDS by improving access to information and to prevention and treatment services and by building the capacities of those involved in these efforts.

Recognizing the progress made on both the political and the macroeconomic fronts but also the fragility of the results achieved, the United Nations system in the Democratic Republic of the Congo is advocating urgent, consistent international assistance for building peace and security and combating poverty. A special transition assistance programme, an emergency public infrastructure rehabilitation programme expanded to the country's eastern and northern provinces and an emergency humanitarian, social and cultural programme should be the three pillars of the international community's strategic intervention framework.

# I. Introduction

1. The present report is submitted in accordance with General Assembly resolution 57/146, by which the Assembly, taking note of the report of the Secretary-General on special assistance for the economic recovery and reconstruction of the Democratic Republic of the Congo (A/57/377), requested the Secretary-General to report to it at its fifty-eighth session on the actions taken by the United Nations system and the international community as a whole to secure an end to the hostilities and to human rights violations, the withdrawal of foreign forces, the demobilization and reintegration of child soldiers, the access of humanitarian organizations to vulnerable populations, the free movement of people and goods, the effective establishment of a government of national unity and the relaunching of the national economy.

# II. General situation of the Democratic Republic of the Congo

## A. Political and security situation

### Political transition process

2. The political transition process took a decisive turn on 2 April 2003 in Sun City, South Africa, with the signing by the participants in the inter-Congolese dialogue of the Final Act of the inter-Congolese political negotiations begun in October 2001. By signing the Act, the participants in the inter-Congolese dialogue approved the Global and All-Inclusive Agreement on the Transition in the Democratic Republic of the Congo, signed in Pretoria on 17 December 2002, the draft Transitional Constitution and the 36 resolutions adopted by the participants in Sun City in March and April 2002. These agreements amount to a comprehensive programme for the restoration of peace and national sovereignty in the Democratic Republic of the Congo during a two-year transition period.

3. The signing of the Final Act of the inter-Congolese dialogue was immediately followed by the promulgation of the Transitional Constitution by the President of the Republic on 4 April 2003 and by his swearing in on 7 April 2003. The National Follow-up Commission, responsible for preparing the way for the establishment of new institutions and made up of representatives of the signatories to the Sun City Agreement, was set up and held its first meeting on 14 April, in the absence of representatives of the Rassemblement congolais pour la démocratie-Goma (RCD-Goma), who finally arrived in Kinshasa on 27 April, thanks to the efforts of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC). The second meeting, with all representatives, took place on 29 April 2003 in Kinshasa. The International Committee for Support to the Transition (ICST), made up of representatives of the permanent members of the Security Council and the Troika of the African Union (South Africa, Mozambique and Zambia), Angola, Belgium, Canada, Gabon, the African Union and the European Union, was also established and held its first meeting with President Kabila on 10 April 2003.

4. The various political components agreed on the establishment of the institutions provided for in the Global and All-Inclusive Agreement. After agreement was reached on the distribution of posts within the High Command of the

integrated national army, the President of the Republic signed a decree on 30 June 2003 appointing members of the Transitional Government. At its 8 July 2003 meeting, the National Follow-up Commission published the new timetable for the establishment of transitional institutions. According to that timetable, all institutions were to be in place by 17 July 2003, after the arrival of Vice-Presidents Bemba and Ruberwa in Kinshasa on 15 and 16 July.

**Military and security situation**

5. At the beginning of May 2003, after the withdrawal of Ugandan troops, the district of Ituri, and the city of Bunia in particular, were the scene of violent clashes between ethnic Hema and Lendu militias which triggered a major humanitarian crisis (more than 350 deaths in Bunia and 500,000 to 600,000 displaced persons in Ituri). Pursuant to Security Council resolution 1484 (2003), an Interim Emergency Multinational Force under French command was deployed to Bunia on 6 June 2003 to secure the area. Clashes were also reported in the provinces of North Kivu between the troops of RCD-Goma on one hand, and the forces of RCD-Kisangani/Mouvement de libération and the Congolese Armed Forces on the other. On 9 June 2003, RCD-Goma troops retook the towns of Kanyabayonga and Alimbongo, which had been under the control of RCD-Kisangani/Mouvement de libération. The town of Lubero fell to them on 19 June. Moreover, Mai-Mai to the north-east of Kindu, towards Shabunda; the Mudundu 40 Mai-Mai group to the west and south of Bukavu; and the Banyamulenge militia led by Commandant Masunzu and Mai-Mai around Uvira continue to harass RC-Goma troops in Maniema and South Kivu.

6. These clashes have weakened the ceasefire and undermined the efforts made by the Ituri Pacification Commission, which established an interim authority in Bunia in late April. The ongoing clashes in North Kivu also continue to threaten the peace process and exacerbate the already precarious humanitarian situation. Moreover, lack of security in the east may undermine ongoing efforts to restore security throughout the country and reduce the risks of the direct involvement of Uganda and Rwanda. MONUC operations to disarm, demobilize and repatriate foreign armed groups are being directly affected by this lack of security in the eastern part of the country. Since October 2002, only 2,050 former combatants and their dependants have been repatriated to Rwanda. Experience has shown that the voluntary disarmament, demobilization, reintegration, repatriation and resettlement programme for foreign forces carried out by MONUC can succeed only if reasonable security conditions prevail and all concerned parties cooperate fully.

## B. Economic situation

**Growth**

7. The upturn in production observed since 2001 seems to have continued in 2002. The statistical review and national accounts commission estimates that gross domestic product (GDP) grew by 3.17 per cent in 2002, as against -1.1 per cent in 2001 and -6.9 per cent in 2000. However, that renewed growth is largely dependent on the service sector (+7.1 per cent in 2002 as against +1.3 per cent for the goods sector). Aside from construction and public works (+12.8 per cent), growth is weak in the branches of goods production, particularly manufacturing (-6.5 per cent). The

slowdown seen at the beginning of 2003 also confirms how fragile that growth is. The Commission is predicting a growth rate of 2.4 per cent for 2003, 2.6 points below the target of 5 per cent set by the Government at the start of the year.

**Inflation**

8. Inflation continued to slow down in 2002. The inflation rate at the end of the period was 15.8 per cent, as against 135.1 per cent in 2001 and 512 per cent in 2000. For the first five months of 2003, the cumulative inflation rate was 4.57 per cent, corresponding to an annual rate of 12.2 per cent. The Government's target for prices is to bring the inflation rate down to under 10 per cent (6 per cent for 2003 and 5 per cent for 2004).

**Public finance**

9. For the first time in many years, the State budget for the financial year 2002 was issued within the legal time frame. Nevertheless, budgeted resources still fall short of the country's huge needs. Moreover, despite efforts to restore the chain of income and expenditures, the mobilization of public resources remains low (less than 10 per cent of GDP) and the allocation of resources continues to be dominated by current expenditures (96.7 per cent in 2002). As at 31 December 2002, State financial operations showed a surplus of CGF 23,888.4 million, or 1.3 per cent of GDP. The 2003 budget was issued late, however, reversing the positive trend observed the previous year. This budget should be readjusted to take account of the costs and resources resulting from the country's unification

**Currency and exchange rate**

10. Control of the money supply has been one of the main instruments of macroeconomic policy since the April 2001 measures to liberalize the economy and hence the exchange rate. By the end of December 2002, the money supply had increased by 30.8 per cent. The current macroeconomic programme provides for a 17-per-cent increase in the money supply in 2003; by the end of March 2003, the increase was already 12.9 per cent. Domestic lending, until 2001 the main cause of the growth of the money supply through monetary financing of budget deficits, has a negative impact on the growth of the money supply (-7.1 per cent in 2002 and -8.9 per cent in the first quarter of 2003). The Central Bank prime rate is 25 per cent (May 2003), as against 140 per cent at the beginning of 2002. On 20 May 2003, the exchange rate of the Congolese franc against the United States dollar was CGF 415.7, as compared with CGF 382.1 on 31 December 2002, an 8.1-per-cent depreciation. The depreciation rate was 18.5 per cent in 2002 and 54.7 per cent in 2001.

**Foreign trade**

11. The trade balance showed a surplus of US$ 313.9 million in 2002, as against US$ 93.8 million in 2001. Exports increased by 39.7 per cent (US$ 1,258.5 million in 2002) as a result essentially of the strong performance of diamond exports (+65.3 per cent), whereas imports increased by only 17.1 per cent (US$ 944.6 million in 2002). However, the improvement in the trade balance in the first quarter of 2003 was less marked. The trade surplus for January 2003 was US$ 8.4 million.

**External debt**

12. In 2002, the external debt situation of the Democratic Republic of the Congo was characterized by: (i) the June 2002 settlement of arrears to the International Monetary Fund (IMF) (US$ 519 million), the World Bank (US$ 330 million) and the African Development Bank (ADB) (US$ 895 million); (ii) the signing on 13 September 2002 of a debt consolidation agreement with the Paris Club; and (iii) the start of bilateral negotiations with creditors of that Club. The arrears to the three main multilateral institutions were discharged by means of bridging credit. With regard to its debt to the Paris Club, the Democratic Republic of the Congo has benefited from Naples terms, namely, cancellation of 67 per cent of its debt at net current values (equivalent to US$ 4.64 billion). By 10 April 2003, it had concluded negotiations with all its Paris Club creditors, except Japan. As at 31 December 2002, its total external debt amounted to US$ 10,306.8 million (24.1 per cent lower than at the end of December 2001). Nevertheless, its level of indebtedness remains high and therefore unsustainable (766.6 per cent of exports). Furthermore, until the country reaches the decision point for the Heavily Indebted Poor Countries (HIPC) initiative, debt servicing will remain unsustainable.

## C. Social and humanitarian situation

13. The social situation in the Democratic Republic of the Congo continues to be worrying. It is characterized by very high rates of maternal and infant mortality, deteriorating health and social infrastructure and poor access to basic health care and education for the majority of the population. Malnutrition is taking a terrible toll on children: in 2001, 31 per cent of children under 5 years of age were estimated to be moderately underweight. The net primary school enrolment rate for children aged 6 to 11 years declined from 55.9 per cent in 1995 to 51.7 per cent in 2001, an 8-per-cent drop; 31 per cent of children aged 6 to 14 have never attended school. Caloric intake dropped from 2,060 in 1990 to 1,829 in 2001. The infant and combined infant and child mortality rates rose from 114 and 190 per 1,000 in 1995 to 126 and 213 per 1,000 in 2001. The maternal mortality rate, estimated at 1,289 per 100,000 live births, is one of the highest in the world. There are an estimated 1.4 million children either orphaned or affected by HIV/AIDS. The estimated average HIV/AIDS seroprevalence rate is 8.1 per cent for pregnant women and 5.1 per cent for young people.

14. The humanitarian situation is particularly worrying in areas ravaged by the armed conflict, where there are more than 2.7 million displaced persons. In the Bunia urban area alone, nearly 200,000 people are thought to have fled their homes following the recent clashes in May 2003. The humanitarian situation in Kivu has continued to deteriorate. The latest RCD-Goma offensives resulted in serious human rights violations and triggered fresh population movements, forcing tens of thousands of people to seek refuge in the forests or neighbouring villages. The continuing fighting has disrupted the normal activities of humanitarian agencies and made it difficult to deliver assistance to populations affected by the war.

## D. Economic measures and options

15. In order to stabilize the macroeconomic situation, which had worsened considerably since the early 1990s, the Government adopted in April 2001, under a reinforced interim programme, macroeconomic measures relating to public finance and the money supply; these measures were mainly designed to break the cycle of high inflation that was undermining the national economy. The results obtained (mainly the stemming of hyper-inflation) made it possible for the country to resume normal relations with the Bretton Woods institutions. Since March 2002, following the preparation by the Government of an interim poverty reduction strategy paper, the reinforced interim programme has been replaced by two major programmes: (a) the Three-year Macroeconomic Reform Programme (April 2002 to July 2005), supported by IMF under the Poverty Reduction and Growth Facility, at a total cost of US$ 730 million; and (b) the Emergency Multisectoral Rehabilitation and Reconstruction Programme (July 2002 to June 2005), at a total cost of US$ 1.7 billion, of which $552 million have yet to be mobilized.

## E. Official development assistance

16. External resources rose from US$ 264.17 million in 2000 to $334.56 million in 2001 and $383.5 million in 2002, not allowing for the discharge of foreign debt arrears. Disbursements by agencies of the United Nations system amounted to $62,996,000 in 2002. Based on donor programming in relation to ongoing projects, not including commitments and pledges in connection with the implementation of the Emergency Multisectoral Rehabilitation and Reconstruction Programme, disbursements in 2003 should amount to US$ 380.96 million. Consequently, according to recent estimates, in 2003 there will be a shortfall of nearly US$ 100 million in net capital flows, excluding humanitarian assistance, in relation to debt-service obligations.

## F. Macroeconomic dialogue

17. As a result of the resumption of relations with the multilateral institutions, the Democratic Republic of the Congo has been trading consistently with its main development partners since July 2001. Thus, following several preparatory consultations with donors, the country's major partners reaffirmed their commitment to make fresh financial contributions totalling US$ 2.5 billion at the Consultative Group meeting held in Paris in December 2002. A number of donors stressed, however, that such financial commitments remained contingent upon progress on the political front. The biannual IMF programme review missions are another vehicle for the macroeconomic dialogue between the Government and its development partners. The most recent review was conducted from 24 May to 7 June 2003. It covered the period from October 2002 to March 2003 and resulted in the signing of a letter of intent by President Joseph Kabila on 10 June 2003. The letter reaffirms the Congolese Government's commitment not to finance budgetary expenditures through advances from the Central Bank of the Democratic Republic of the Congo and not to accumulate external debt-service arrears. In the view of IMF, however, the review exercise will be complete only after a government of national unity has

been installed and has confirmed its commitment to pursue the current economic programmes.

# III. Major challenges and constraints

## A. Challenges and constraints relating to the transition

### Transitional institutions and modalities

18. The Global and All-Inclusive Agreement and the Transitional Constitution deriving therefrom provide for the establishment of a transitional executive branch, composed of the President, four Vice-Presidents and a Government comprising 61 ministers and deputy ministers. The transitional legislative branch will consist of a National Assembly and a Senate. The Global and All-Inclusive Agreement also provides for the establishment of five institutions in support of democracy: an Independent Electoral Commission, a National Watchdog on Human Rights, a Media Authority, a Truth and Reconciliation Commission and a Committee on Ethics and the Fight against Corruption. The various posts will be distributed among the parties to the inter-Congolese dialogue. The establishment and smooth running of the different institutions and organs of the State are a challenge that the Congolese parties will have to meet in order to solve the most immediate economic, security and social problems, tackle long-term problems and lay the foundations for a more democratic society through the organization of free elections.

### Security situation

19. The establishment of an integrated national army capable of guaranteeing everyone's security and safeguarding national territorial integrity continues to be one of the major challenges of the transition period. The persistence of local conflicts in the Ituri area and in the Kivu provinces, the continuing widespread violations of human rights and the slow pace of disarmament, demobilization, reintegration, repatriation and resettlement operations for foreign forces are all factors which will affect the security situation.

### Disarmament, demobilization and reintegration of Congolese forces

20. Two major challenges will have to be overcome, namely:

(a) Ensuring cooperation among the different Congolese parties, both inside and outside the Transitional Government, involved in the disarmament, demobilization and reintegration of Congolese forces;

(b) Putting in place a credible legal and institutional mechanism for the national coordination of disarmament, demobilization and reintegration activities that will mobilize all the relevant partners.

21. A number of security, humanitarian and operational factors are constraints on the effective implementation of the disarmament, demobilization and reintegration programme. The most important of these are: (i) the diversity and heterogeneity of the armed groups; (ii) the shifting alliances among the various groups, resulting in frequent changes in their identity, composition and position on the conflict; (iii) the regional dimension, which creates a complex interdependence between the situation

in the Democratic Republic of the Congo and that in neighbouring countries; (iv) the sheer size of the territory which, given the dilapidated state of communications and infrastructure, affects operational capacity in the area of disarmament, demobilization and reintegration; (v) the alarming humanitarian situation, which will make it necessary to address the needs of former combatants at the same time as those of more than 2.7 million displaced persons and of other groups affected by the conflict.

## B. Challenges and constraints relating to governance

### Civil service

22. The Congolese public administration is in considerable disarray as a result of all kinds of mismanagement and the inadequacy of the material, financial and human resources allocated to it. The series of armed conflicts experienced by the Democratic Republic of the Congo in recent years have accelerated this process of deterioration. The present public administration is incapable of carrying out its public service function effectively and is therefore an impediment to the implementation of development policies and programmes.

23. A radical overhaul of public administration is needed to meet the following challenges:

(a) **Organization of the civil service**. Since tasks/functions in the Congolese public administration are not clearly defined, it has a plethora of structures that pursue the same objectives but are functionally and operationally unrelated;

(b) **Human resources management**. Human resources management is characterized by the following: (i) there are almost no job descriptions; (ii) needs are not defined, job descriptions are inadequate, and there are no competitive examinations for admission to the civil service; (iii) personnel movements are often at variance with the needs of administrative units; and (iv) there is an imbalance in the distribution of staff both geographically and among ministries. However, the single most striking feature of human resources management is the plethora of staff. There were a total of 401,936 civil service staff as at August 2002;

(c) **Human resources development**. The biggest constraint continues to be appalling working conditions. Wages are extremely low, ranging from US$ 3.00 for a messenger to US$ 30.00 for the Secretary of a ministry. This situation is the main reason for the low productivity and rampant corruption. The steady ageing of civil service staff should also be noted; some 70,000 staff who have already reached retirement age are still working, including nearly 25,000 in the education sector.

### Justice

24. The Congolese judicial system suffers from serious shortcomings: some of the laws on its books are completely obsolete; there is virtually no independence of the judiciary; working conditions are abysmal; there is no operating budget; judicial staff are not paid; judicial staff are not trained; and the public has no confidence in the judicial system. The dismantling on 24 April 2003 of the military tribunal and the prosecutor's office attached to it represent significant progress for the administration of justice in the Democratic Republic of the Congo. It should be

noted that new military judicial institutions will be established throughout the country, closing down all the military courts set up by rebel movements.

**Human rights**

25. Notwithstanding the promises made by both the Government and rebel authorities during the celebration of the fifty-third anniversary of the Universal Declaration of Human Rights on 10 December 2001 and the conclusions and resolutions of the National Conference on Human Rights held in May 2001, the human rights situation throughout the Democratic Republic of the Congo deteriorated considerably during 2002. As in 2001, in addition to cases of arbitrary arrest and unlawful detention, extortion, theft, rape and looting of property, acts of violence, torture and other cruel, inhuman and degrading treatment, acts of cannibalism, massacres, summary and extrajudicial executions, cases of harassment of journalists, members of political parties, members of civil society, human rights activists, non-governmental organizations and persons suspected of complicity with the rebels or the Kinshasa Government were reported to the Office of the United Nations High Commissioner for Human Rights throughout 2002. In the east of the country, sexual violence against women and girls reached levels hitherto unknown in the country. Children continue to be recruited into armed groups. Those who perpetrate such crimes are seldom sought and impunity further encourages sexual violence and the recruitment of children.

## C. Challenges and constraints relating to humanitarian assistance

26. There are numerous obstacles to humanitarian assistance, the most critical ones being the geographical dispersal of displaced persons (which does not facilitate access to the affected areas and to certain communities), the lack of security and the refusal of armed groups to allow humanitarian agencies access to affected areas. Added to this is the lack of qualified operational partners on the ground, in Katanga, Maniema and Equateur, for example, and the difficulty of identifying and quantifying humanitarian assistance needs.

27. A decline has been observed in resource mobilization. In fact, donors responded markedly less well to the consolidated appeal for the Democratic Republic of the Congo for 2002.

## D. Challenges and constraints relating to poverty reduction

28. The human development index of the Democratic Republic of the Congo, which ranked 167th in the *Human Development Report 2003*, is estimated at 0.363. Despite the period of macroeconomic stability observed since July 2001, poverty, both monetary and human, continues to rise. The main cause is the dissolution of the formal sector, as demonstrated by the decline in the number of firms belonging to the Fédération des Entreprises du Congo from nearly 9,000 in the 1980s to fewer than 2,500 in 2003 and the break-up of the largest corporations (notably GECAMINES). The boost provided by the dynamism of communities and the informal sector is not sufficient to reverse this trend.

**HIV/AIDS**

29. The HIV/AIDS situation in the Democratic Republic of the Congo is extremely worrying and its negative impact on human development is very obvious. According to estimates from the Office for the Coordination of the National Programme to Combat AIDS published in 2000, the rate of HIV infection among persons aged 15 to 49 years was 5.07 per cent. That same year, 79,541 cumulative cases and 699,000 cumulative AIDS-related deaths were recorded and AIDS orphans numbered 687,000. Another characteristic of the HIV/AIDS pandemic in the country is the extreme vulnerability of women, who are the most affected, mainly in the 20-29 age group. The three challenges to be met in this area are: (a) improving access to information and prevention and treatment services, with a focus on young people, pregnant women and armed elements (Congolese Armed Forces and police), and promoting the male and female condom; (b) mobilizing partners, communities and specific groups; and (c) building the capacities of all actors involved in combating HIV/AIDS and sexually transmitted diseases.

# IV. Cooperation between the Democratic Republic of the Congo and the United Nations system

## A. Support from the United Nations system for the transition

**Support for the implementation of the Global and All-Inclusive Agreement**

30. The Secretary-General has become involved, through his Special Envoy Mr. Moustapha Niasse, in solving the Congolese crisis. MONUC is assisting the International Committee for Support to the Transition, whose aim is to help the Congolese parties apply the terms of the agreements reached. MONUC has already made the necessary arrangements for the establishment of the "neutral force" envisaged in the Memorandum on the Army and Security, which, together with Congolese forces, is to guarantee the security of the transition actors in Kinshasa. To bring peace to Ituri, MONUC and several agencies of the United Nations, including the United Nations Development Programme (UNDP), provided assistance in establishing the Ituri Pacification Commission. The Commission, which comprises 177 delegates representing the main groups and communities in Ituri, met in Bunia from 4 to 14 April 2003 under the chairmanship of the Deputy Special Representative of the Secretary-General. The delegates to the Commission set up an interim administration, consisting of a 32-member special assembly, an 18-member executive organ and three subcommissions — on security and the consolidation of the cessation of hostilities, the re-establishment of public services and the rule of law, and humanitarian assistance and rehabilitation. These bodies commenced their work on 25 April. The interim administration will need some US$ 300,000 for the initial three months of operation. UNDP has contributed to the financing of the Commission's work under its project "Support for reconciliation and community development in Ituri". With the resumption of hostilities in Ituri at the beginning of May 2003, the interim administration was unable to function. The arrival of the Multinational Force, which has gradually restored security in Bunia, should allow the interim administration progressively to begin its work.

**Disarmament, demobilization and reintegration of Congolese forces**

31. At the express request of President Joseph Kabila, made on 19 August 2002, and in agreement with the Multi-Country Demobilization and Reintegration Programme (MDRP) partners, UNDP is coordinating disarmament, demobilization and reintegration activities for Congolese combatants. Between November 2002 and February 2003, on the basis of the framework document "Rethinking disarmament, demobilization and reintegration", UNDP devised five projects for a total cost of almost US$ 30 million, 35 per cent of which is already covered by contributions from Multi-Country Demobilization and Reintegration Programme partners, the private sector and the resources of UNDP itself.

32. Following consultations with the Government, the components of the peace process and the international community, UNDP developed the "Interim strategy for the future national disarmament, demobilization and reintegration programme". This strategy document was approved by the partners in Kinshasa last April and was adopted at the latest meeting of the Advisory Committee of the Multi-Country Demobilization and Reintegration Programme, held in Paris at the end of April 2003. It constitutes the road map that is to lead to the institutionalization of the future national disarmament, demobilization and reintegration programme. In this context, a working group on disarmament, demobilization and reintegration and thematic subgroups consisting of national experts, specialized agencies, the Programme and MONUC have been working since last May to define the technical aspects of the national programme.

**Disarmament, demobilization and reintegration of child soldiers**

33. The United Nations Children's Fund (UNICEF) and UNDP, in cooperation with the Government, have coordinated the development of the interim national programme for the prevention of child recruitment and the disarmament, demobilization and reintegration of children associated with armed groups. A national workshop brought together children, national and international non-governmental organizations, representatives of the various armed groups, and governmental and non-governmental structures involved in the demobilization and reintegration of children and produced a framework document for a national plan, the Government's implementation of which is being supported by UNICEF and UNDP. It is estimated that about 30,000 children, some of them barely 10 years old, are associated with various armed groups, and child recruitment is thought to be continuing. The International Labour Organization, with funding from the World Bank, has developed and tested a reintegration approach through the implementation of a pilot project for the demobilization of vulnerable groups within combatant forces, reaching a total of 800 vulnerable persons, including 130 young former combatants. ILO also implemented a subregional project aimed at prevention and at the reintegration of children involved in armed conflicts in the Great Lakes subregion, with funding from the United States Department of Labor, between October 2001 and February 2003. The Multi-Country Demobilization and Reintegration Programme recently approved two special projects for the reintegration of child soldiers run by the Save the Children Fund and by a group of three international non-governmental organizations (the Innocenti Research Centre, the International Foundation for Education and Self Help and CARE) and other projects run by UNICEF.

## B. Support for democratic governance and poverty reduction

### Promotion of human rights and the culture of peace

34. In response to allegations of massive violations of human rights and humanitarian law in Ankoro, in Manono territory (Katanga) between 10 and 18 November 2002, MONUC, in cooperation with the Office of the United Nations High Commissioner for Human Rights, dispatched an investigative mission, which went to Ankoro on 28 November 2002 to verify the allegations. The Office of the United Nations High Commissioner for Human Rights also participated, in cooperation with MONUC, in various missions to follow up allegations of grave human rights violations in the eastern part of the Democratic Republic of the Congo, specifically in Kisangani and Bunia. It has initiated capacity-building activities for national institutions, both governmental and non-governmental, through training sessions on the administration of justice and human rights, international humanitarian law, and ethics, aimed at public structures, criminal investigation officers, teachers, army officers and journalists. UNDP efforts have focused on disseminating the documents of the National Conference on Human Rights, raising public awareness and informing the population about human rights principles and norms, and training specialists from the Ministry of Human Rights, members of specialized services (army and police) and leaders of civil society organizations. UNICEF is lobbying for the observance and application of the Convention on the Rights of the Child and other international and national laws protecting children and women. In order to put an end to the regime of impunity, it is assisting the Government in conducting awareness-raising, training and capacity-building initiatives to inform communities of their rights. It is continuing to provide support to the Government in introducing new national laws and amending existing ones to bring them into line with the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women.

35. In order to ensure that women are better informed of their rights, the United Nations Population Fund (UNFPA) has assisted the Ministry of Social Affairs in formulating the content and the practical modalities for the conduct of legal clinics for the defence of the rights of Congolese women. Also, UNFPA support has enabled the Réseau d'Action Femme to conduct an awareness-raising campaign to combat violence against women. In the context of building government capacities in the area of respect for women's and children's rights, UNFPA has supported the participation of national officials in training aimed at mainstreaming women's rights in poverty reduction strategy documents. In addition, it has provided assistance with the establishment of a network of women ministers and parliamentarians to ensure that issues of equity, equality and women's empowerment are taken into account in the country's development policies and programmes. Lastly, it has supported training for primary school teachers in Kinshasa aimed at building their capacities to combat sexual violence and gender-based inequality in the school environment.

### Reform of the civil service and capacity-building

36. The Government, with the support of its partners, including UNDP and Belgium, has devised a programme of reform of the public administration and has expressed its firm intent to embark resolutely on this process. This programme will eventually make it possible to establish a development administration endowed with the necessary human and material capacities and streamlined structures. In this

context, UNDP has assisted the Government in developing an interim capacity-building strategy. This interim strategy is intended as a strategic framework to support the application of government policy and is aimed at relaunching the essential administrative functions of programme delivery and implementation of government reform.

**Reform of the judicial system**

37. In this area, the Office of the United Nations High Commissioner for Human Rights is supporting the efforts of the standing committee for the reform of Congolese law to harmonize national legislation with the international human rights instruments ratified by the Democratic Republic of the Congo. It is also assisting the organs involved in the administration of justice and good governance through a seminar for judges, lawyers, criminal investigation officers, etc. on the dissemination of the new Code of Military Justice and the new Military Penal Code. A joint mission by the European Union, UNDP, the Office of the United Nations High Commissioner for Human Rights and Belgium to assess the state of the judicial system is in preparation and should enable a strategic intervention framework to be developed, as well as plans of action, the implementation of which will contribute to the establishment of a stable legal and institutional environment in which the rule of law is respected, human rights are protected and the population's expectations are met.

**Support for the economic recovery and reconstruction of the Democratic Republic of the Congo**

38. By facilitating the reopening of the Congo River, MONUC greatly encouraged the resumption of economic activities over wide areas and the rebalancing of commercial networks between the east and west of the country. Since July 2002, regular river traffic has been established between Government-held areas and areas held by the Mouvement de libération. The first private commercial traffic authorized by RCD-Goma arrived in Kisangani in February 2003. The entry into force of the Global and All-Inclusive Agreement and its provisions on total freedom of movement, and the statement made in Kinshasa on 27 April by the General Secretary of RCD-GOMA on the lifting of the remaining restrictions, offered new possibilities for the complete reopening of the river. In early May, MONUC facilitated the visit to Kisangani and Goma of a high-level trade delegation made up of 20 members of the Fédération des entreprises du Congo, who had come from Kinshasa to meet their local counterparts and the leaders of RCD-Goma.

39. United Nations agencies are also busy readjusting their programmes to take better account of the transition from urgent crisis to development, as reflected in the three pillars of the first poverty reduction strategy paper: (i) peacemaking and peace-building; (ii) macroeconomic stability and revitalization of growth centred on the poor; and (iii) support for community activities. These guidelines were included in the United Nations Development Assistance Framework 2003-2005. UNDP continued its programme of support for the renewal of grass-roots communities, which combines infrastructure rehabilitation, community capacity-building, promotion of revenue-generating activities and dissemination of better local governance practices. For the time being, these activities concern the provinces of Bas-Congo, Bandundu, Kasaï Occidental, Kasaï Oriental and Katanga and the city of Kinshasa. Furthermore, the regular activities of the UNICEF programme in the

Democratic Republic of the Congo were supplemented in 2002 by humanitarian assistance activities financed in the framework of the consolidated appeal process for families affected by the armed conflict and the eruption of the Mount Nyiragongo volcano. In the first instance, emergency medical support was provided to 4 million people; 400,000 children were vaccinated against measles and 100,000 received nutrition support; 120,000 displaced families out of 350,000 received kits of basic necessities; and 100,000 displaced children were able to return to school. Close to 45,000 families affected by the eruption of the Nyiragongo volcano received kits of basic necessities; 12,000 children were able to return to school and 320,000 children aged from 9 months to 15 years were vaccinated against measles. Moreover, a considerable effort was made to ensure greater complementarity among assistance efforts, particularly those for displaced persons and refugees (World Food Programme and Office of the United Nations High Commissioner for Refugees), capacity-building (UNDP) or those of the Office for the Coordination of Humanitarian Affairs.

**Fight against HIV/AIDS**

40. Faced with the magnitude of the HIV/AIDS pandemic among the most vulnerable sectors of society, UNICEF and the Government took the first action to prevent and combat HIV/AIDS under the 2000-2002 cooperation programme. The programme's objectives for 2002 were to: prevent HIV transmission among young people and mother-to-child transmission; facilitate access to health care and treatment for children and their families affected by HIV and HIV/AIDS; and improve the treatment, protection and monitoring of children orphaned or affected by HIV and HIV/AIDS. Activities carried out in coordination with the National Programme to Combat AIDS have permitted better HIV screening among young people and pregnant women in Bas-Congo province; voluntary testing of nearly 80,000 young people in eight provinces; dissemination of prevention messages to a wide audience; training of 1,651 primary and secondary school teachers and 1,150 counsellors and 1,900 peer counsellors in psycho-social skills particularly related to HIV/AIDS; awareness-raising and psychological support activities for 900 children and young people at high risk for HIV infection, particularly street children, demobilized child soldiers and teenage mothers; establishment of 250 anti-HIV/AIDS clubs; improved access for more than 150,000 young people and adolescents to the latest information on HIV/AIDS; and improved anonymous HIV/AIDS screening through the establishment of three free test centres in South Kivu. Lastly, the country has just submitted its first application — for US$ 95 million — to the Global Fund to Fight AIDS, Tuberculosis and Malaria.

41. UNFPA is supporting a major programme of awareness-raising, information, education and communication, counselling and condom distribution for young people through local non-governmental organizations. In 2002, the awareness-raising campaign reached some 2 million young people. It should also be mentioned that more than 100 health centres were revitalized and supplied regularly with essential medicines for treating sexually transmitted diseases and with reagents for HIV testing. UNFPA also lobbied national decision makers in order to raise awareness of the risk of a demographic catastrophe caused over time by record levels of maternal mortality and the rapid spread of HIV/AIDS. In that connection, UNFPA helped develop an HIV/AIDS prevention programme for the Congolese army and police.

## C. Humanitarian assistance provided by the United Nations system in the Democratic Republic of the Congo

**Access to vulnerable populations**

42. Between 1999 and 2002, the number of internally displaced persons increased from 800,000 to 2.7 million, despite the return of some families to some territories such as Masisi, northern Katanga, Equateur and Kasaï Oriental. To promote a concerted approach to the management of internally displaced persons as recommended by the January 2003 inter-agency mission, UNFPA assisted the Commissariat Général à la Réinsertion in drawing up a pilot project for the protection, reintegration and social readaptation of internally displaced persons.

# V. Prospects for reconstruction

## A. Political transition and reunification of the country

43. The recent establishment of the Transitional Government and the agreements on creating an integrated national army will facilitate the provision of humanitarian assistance to hitherto inaccessible regions and the creation of a climate conducive to the country's reconstruction. It is important that disarmament, demobilization, reintegration, repatriation and resettlement activities for foreign and Congolese forces are properly carried out. To that end, the deployment of the neutral force, the cessation of hostilities, the creation of a climate of security and confidence in the two Kivu provinces and the preparation and introduction of a comprehensive national DDR programme in the next three to six months are crucial. Sustained international assistance is necessary to support the transition and assist the Government in taking up immediate and medium- and long-term challenges simultaneously. It will also have to lay the basis for a democratically elected Government, to be set up at the end of the transition period, by preparing for elections and drafting a new Constitution. At the same time, the Transitional Government will have to settle security and military issues and fulfil the population's expectations by improving the economic situation.

44. Such a programme assumes that the country can undertake radical, far-reaching reforms in the areas of public administration, justice and human rights, and the army and police in a very short time. These different operations can be carried out only in a longer time frame than that of the transition period, hence the need for transitional mechanisms that are sufficiently supported by the international community and the partners of the Democratic Republic of the Congo. In the very short term, the European Union has pledged 9.5 million euros to finance the rehabilitation of public buildings to accommodate the transitional institutions. UNDP has been asked to coordinate the assistance of the partners to institutions that support democracy.

## B. Economic recovery

45. Analysis of the economic situation of the Democratic Republic of the Congo has revealed encouraging signs. By taking courageous measures and despite occasional setbacks, the Government has managed to control inflation and the

money supply. Nevertheless, economic prospects for the next two to three years reveal the persistence of some discouraging signs. The State budget (about US$ 900 million in 2002, nearly half of which was financed from external resources) will remain extremely weak by comparison with the tasks that the Transitional Government will have to accomplish. The external debt service burden (15 per cent of the budget in 2003) is a major constraint on expanding mechanisms for boosting national production and therefore employment. The persistence of negative net capital flows during this post-conflict transition period could affect peace-building in the Democratic Republic of the Congo. The country's admission to the HIPC initiative is one element that could reverse that trend, but the provision of additional external resources remains indispensable. Moreover, the external debt service burden is preventing the Government from dealing effectively with the difficult problem of the domestic public debt: with less than 1 per cent of the 2003 budget earmarked for its repayment, national businesses are being deprived of the means to boost production.

### C. Strategic intervention framework

46. The Democratic Republic of the Congo is at a turning point in its history. The involvement of the Congolese authorities and the country's development partners in building peace and security and combating poverty requires an appropriate strategic framework. The special assistance to be given to the Democratic Republic of the Congo should centre on the following three pillars: (i) a special three-year transition assistance programme (support for transitional institutions, emergency technical and financial assistance for public administration capacity-building and reunification, support for the establishment of an integrated army and an integrated police force, support for institutions that will help democracy take root and support for the organization of elections); (ii) an emergency public infrastructure rehabilitation programme expanded to the country's eastern and northern provinces; and (iii) an emergency humanitarian, social and cultural programme that will permit a transition from assistance activities to development activities. The latter two pillars have already been unanimously approved by the Congolese parties that adopted the Emergency Multisectoral Rehabilitation and Reconstruction Programme 2003-2005 and the Emergency Humanitarian, Social and Cultural Programme in Sun City.

## VI. Recommendations

47. **The Secretary-General:**

**(a) Encourages all the parties to the conflict in the Democratic Republic of the Congo to pursue the efforts under way to accelerate the effective establishment of all the transitional institutions provided for in the Global and All-Inclusive Agreement;**

**(b) Invites donors, in particular those with influence over the Government of Rwanda, to stress their firm support for MONUC efforts to ensure the disarmament, demobilization and repatriation of foreign armed groups currently in the Democratic Republic of the Congo and to encourage the Government of Rwanda and its allies to cooperate with MONUC in establishing and maintaining a climate of security and confidence in order to enable the**

**disarmament, demobilization, repatriation, reintegration and resettlement operations carried out by MONUC to proceed smoothly;**

**(c) Invites the multinational financial institutions and the principal creditors of the Democratic Republic of the Congo to speed up the country's admission to the Heavily Indebted Poor Countries initiative in order to alleviate its debt service;**

**(d) Invites the development partners to support the implementation of financial mechanisms designed to discharge the domestic public debt;**

**(e) Invites the development partners to cover the funding shortfall of the Emergency Multisectoral Rehabilitation and Reconstruction Programme and to support civil service reform and efforts to reunify the country.**

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Item 74 (q) of the provisional agenda*
**General and complete disarmament: transparency in armaments**

# Continuing operation of the United Nations Register of Conventional Arms and its further development

## Note by the Secretary-General

1. By its resolutions 55/33 U of 20 November 2000, 56/24 Q of 29 November 2001 and 57/75 of 22 November 2002, the General Assembly requested the Secretary-General to prepare a report, with the assistance of a group of governmental experts, on the continuing operation of the United Nations Register of Conventional Arms and its further development, taking into account the work of the Conference on Disarmament, the views expressed by Member States and the reports of the Secretary-General on the continuing operation of the Register and its further development, with a view to a decision at its fifty-eighth session.

2. Pursuant to those resolutions, the Secretary-General has the honour to submit to the General Assembly the above-mentioned report, prepared with the assistance of the Group of Governmental Experts, on the continuing operation of the United Nations Register of Conventional Arms and its further development.

* A/58/150.

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# Report on the continuing operation of the United Nations Register of Conventional Arms and its further development

*Summary*

The report of the 2003 Group of Governmental Experts on the continuing operation and further development of the United Nations Register of Conventional Arms, inter alia, provides a summary of the periodic reviews of this instrument that have taken place since its establishment in 1992; an analysis of the available data on reporting; an assessment of the operation of the Register; and a detailed examination of issues related to its further development, including the expansion of its scope and technical adjustments to the seven categories of arms covered by the Register.

The report concludes that the Register has made significant progress since 1992 and that it has entered a period of increased participation. Renewed efforts are now required to ensure reporting on a regular basis and progress towards universal participation, as well as continued attention to its further development and increased relevance. It makes a number of recommendations, including adjustments to two of the seven categories, as well as measures to strengthen the role of the Secretariat.

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## Foreword by the Secretary-General

At a time when advances in the field of multilateral disarmament have generally been slow and difficult, it is gratifying to note that the United Nations Register of Conventional Arms has made significant progress as a voluntary arms transparency mechanism.

The Register plays an important confidence-building role by discouraging excessive and destabilizing accumulation of arms. The transparency it provides on arms transfers can help to minimize the risk of misunderstanding or miscalculation and thereby contribute to greater trust and more stable relations among States. The data and information provided by reporting States also help to improve and strengthen bilateral and regional dialogues on security concerns.

I welcome the consensus report of the 2003 Group of Governmental Experts on the continuing operation and further development of the Register. If adopted, the recommendations in the present report would significantly advance the objectives of the Register. The report takes into account the results of the review conducted by previous groups of governmental experts as well as the views expressed by Member States.

I am pleased that the Group has agreed on substantive technical adjustments to two of the seven categories of conventional arms covered by the Register. The lowering of the reporting threshold for large-calibre artillery systems would enhance the Register's relevance to a number of subregions around the world, particularly in Africa. Another significant recommendation is to include Man-Portable Air-Defence Systems (MANPADS) in the Register under the category of missiles and missile-launchers. This would contribute to broad-based international efforts to stem illicit transfers, particularly in preventing these short-range ground-to-air systems from falling into the hands of terrorists.

The Group was unable to reach consensus on making adjustments to some of the other categories of conventional arms. Nor could it agree on raising the reporting status of procurement through national production and military holdings. Agreement was reached, however, that further consideration be given to those outstanding issues in the next periodic review. Detailed discussions also took place and forward-looking conclusions were reached on the relationship between the Register and small arms and light weapons.

I also welcome the recommendations aimed at making real progress towards achieving universal participation in the Register. I note, in particular, the importance attached to the Secretariat's role in furthering this goal, as well as the encouragement given to interested Member States to support and assist its attainment.

Taken as a whole, the achievements of the Group of Governmental Experts in 2003 are more significant than the outcome of the previous reviews, reflecting the commitment of the international community to safeguarding and further strengthening the Register's future after 10 years of operation. The Secretariat stands ready to provide all possible assistance in further promoting the aims of the Register, with a view to achieving universal participation.

I thank the members of the Group of Governmental Experts for their work in preparing the present report, which I commend to the General Assembly for its consideration.

## Letter of transmittal

1 August 2003

Sir,

I have the honour to submit herewith the report of the Group of Governmental Experts on the United Nations Register of Conventional Arms. The Group was appointed by you in pursuance of paragraph 5 (b) of General Assembly resolution 55/33 U of 20 November 2000, paragraph 4 (b) of resolution 56/24 Q of 29 November 2001 and paragraph 4 (b) of resolution 57/75 of 22 November 2002.

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The report was prepared between March and August 2003, during which time the Group held three sessions in New York: the first from 17 to 21 March, the second from 12 to 23 May and the third from 21 July to 1 August.

The members of the Group wish to express their appreciation for the assistance they received from members of the Secretariat of the United Nations. In particular, they wish to thank João Honwana, Chief, Conventional Arms Branch, Department for Disarmament Affairs; Nazir Kamal, Conventional Arms Branch, Department for Disarmament Affairs, who served as Secretary of the Group; and Sarah Meek, who served as consultant to the Group. The Group is also grateful to Nobuyasu Abe, Under-Secretary-General for Disarmament Affairs, for his support.

I have been requested by the Group of Governmental Experts, as its Chairman, to submit to you, on its behalf, the present report, which was approved by consensus.

(*Signed*) Roberto García **Moritán**
Chairman of the Group of Governmental Experts on
the United Nations Register of Conventional Arms

# I. Introduction

## A. Establishment of the United Nations Register of Conventional Arms

1. The General Assembly, by its resolution 46/36 L of 9 December 1991, entitled "Transparency in armaments", requested the Secretary-General to establish and maintain at United Nations Headquarters in New York a universal and non-discriminatory Register of Conventional Arms and to set out the arrangements for the consideration of its development. The Assembly called upon all Member States to provide data annually on imports and exports of conventional arms in the seven categories covered by the Register and invited them also, pending the expansion of the Register, to provide to the Secretary-General, with their annual report on exports and imports of arms, available background information regarding their military holdings, procurement through national production and relevant policies.

2. In the same resolution, the General Assembly reiterated its conviction that arms transfers in all their aspects deserved serious consideration by the international community, inter alia, because of: (a) their potential effects in further destabilizing areas where tension and regional conflict threaten international peace and security as well as national security; (b) their potentially negative effects on the progress of the peaceful and social development of all peoples; and (c) the danger of increasing illicit and covert arms trafficking. It called upon Member States to exercise due restraint in exports and imports of conventional arms, particularly in situations of tension or conflict, and to ensure that they have in place an adequate body of laws and administrative procedures regarding the transfer of arms and to adopt strict measures for their enforcement.

3. The General Assembly furthermore declared its determination to prevent excessive and destabilizing accumulations of arms, including conventional arms, in order to promote stability and strengthen regional or international peace and security, taking into account the legitimate security needs to States and the principle of undiminished security at the lowest possible level of armaments. The Assembly also reaffirmed the inherent right to individual and collective self-defence recognized in Article 51 of the Charter of the United Nations.

## B. Developments since 1991

4. This section of the report summarizes the work done by the 1992 panel and successive groups of governmental experts in relation to the development of the Register.

### 1992 Panel of Governmental Technical Experts

5. In accordance with General Assembly resolution 46/36 L, the Secretary-General convened a panel of governmental technical experts in 1992 to elaborate the technical procedures and make any adjustments to the annex to that resolution necessary for the effective operation of the Register and to prepare a report on the modalities for the early expansion of the scope of the Register by the addition of further categories of equipment and the inclusion of data on military holdings and procurement through national production.

6. The General Assembly[1] endorsed the report of the Secretary-General containing the recommendations of the Panel,[2] called upon all Member States to provide the requested data and information to the Secretary-General annually, beginning in 1993, and encouraged them to provide information on their national arms import and export policies, legislation and administrative procedures, both as regards authorization of arms transfers and prevention of illicit transfers. The Panel also recommended that the consolidated annual report of the Secretary-General to the General Assembly on the data registered and the available background information submitted by Member States be open to the public.

**1994 Group of Governmental Experts**

7. The 1994 Group of Governmental Experts was established to report on the continuing operation of the Register and its further development.[3] The General Assembly took note[4] of the report of the Group.[5] By the same resolution, the Assembly decided to keep the scope of and participation in the Register under review and requested Member States to provide the Secretary-General with their views on the continuing operation of the Register and its further development and on transparency measures related to weapons of mass destruction.

**1997 Group of Governmental Experts**

8. The 1997 Group of Governmental Experts was established to prepare a report on the continuing operation of the Register and its further development.[6] The General Assembly took note of the report[7] of the Group[8] and endorsed the recommendations contained therein. The Assembly also decided to keep the scope of and participation in the Register under review and, to that end, requested Member States to provide their views to the Secretary-General on the continuing operation and further development of the Register.

9. The General Assembly also adopted resolution 52/38 B[9] in which it took note of the reports of the Secretary-General on transparency in armaments[10] and requested him to seek the views of Member States on ways and means of enhancing transparency in the fields of weapons of mass destruction and transfers of equipment and technology directly related to the development and manufacture of such weapons, with a view to enhancing transparency in the field of conventional weapons.

**2000 Group of Governmental Experts**

10. The 2000 Group of Governmental Experts was established under General Assembly resolutions 54/54 O and 54/54 I of December 1999. By its resolution 54/54 O, entitled "Transparency in armaments", the General Assembly requested the Secretary-General to prepare a report on the continuing operation of the Register and its further development.

11. By its resolution 54/54 I, entitled "Transparency in armaments", the General Assembly requested the Secretary-General to report on the early expansion of the scope of the Register and on the elaboration of practical means for the development of the Register in order to increase transparency related to weapons of mass destruction, in particular nuclear weapons, and to transfers of equipment and technology directly related to the development and manufacture of such weapons.

12. The Group addressed the issue of weapons of mass destruction. In that connection, proposals were made for transparency in nuclear weapons, including bombers and other delivery systems, weapons-grade material and production facilities, as well as for a review of the Register, with the aim of including weapons of mass destruction. The Group recognized the importance of the principle of transparency and its relevance to weapons of mass destruction. However, particularly taking into account the fact that the Register covered conventional arms only, the Group agreed that the question of transparency in weapons of mass destruction was an issue that should be addressed by the General Assembly.

13. In considering the development of the Register, the Group took full account of the relationship between transparency and the security needs of States. It reaffirmed that participation in the Register, which was voluntary, was a means by which States could signal their preparedness to enter into dialogue with other States on this aspect of security policy. Participation in the Register can provide a valuable input into bilateral and regional dialogues on security concerns and the evolution of a more cooperative approach to security. In that context, the Group recalled that transparency was not an end in itself, nor was the Register a control mechanism, but rather a confidence-building measure designed to improve security relations between States.

14. The Group engaged in an extensive and detailed examination of the issue of adjustments to the seven categories of weapons covered by the Register, including the concepts of force projection and force multiplier capabilities in recognition of technological developments in the conduct of modern warfare. The issue of whether weapons systems could be described as offensive or defensive was also broadly discussed and it was recognized that any distinctions must take differences in the military doctrines of States into account. The Group examined whether this kind of adjustment would make the reporting procedure more complex and whether it might affect the scope of the Register and the goal of universal participation.

15. Within the context of issues relating to the expansion of the scope of the Register, the Group considered the issue of including data on military holdings and procurement through national production.

16. The General Assembly endorsed the report[11] of the Group and its recommendations.[12] The Assembly also decided to keep the scope of and participation in the Register under review and, to that end, requested Member States to provide the Secretary-General with their views on the continuing operation and further development of the Register and on transparency measures related to weapons of mass destruction.

17. The General Assembly also requested the Secretary-General to implement the recommendations contained in the report of the Group. The implementation of those recommendations has been undertaken, inter alia, through the dissemination of the simplified form for the filing of "nil" returns; updating the United Nations information booklet on the Register and distributing it to the Member States; providing increased information on the Register through the Register web site;[13] and, with the assistance of interested States, the holding of regional or subregional workshops, seminars and other activities to encourage greater participation in the Register. Additional booklets on the Register were also published and distributed widely. The non-availability of additional resources, however, prevented a

feasibility study on the electronic filing of national submissions to the Register from being undertaken.

**2003 Group of Governmental Experts**

18. By its resolution 57/75 of 22 November 2002, the General Assembly requested the Secretary-General, with the assistance of a group of governmental experts based on equitable geographical representation, to prepare a report on the continuing operation of the Register and its further development, taking into account the views expressed by Member States and the earlier reports of the groups of governmental experts.

19. In 2003, the Group of Governmental Experts considered the report of the previous groups, as well as the views expressed by Member States and the related resolutions of the General Assembly.

20. The Group reviewed the developments that have taken place in arms transparency in the context of the current global and regional security situation since the inception of the Register in 1992. In particular, the Group took note of the statement by the Secretary-General of the United Nations on the occasion of the tenth anniversary of the Register, including his observation that the Register enjoys wide international support and that its progress in recent years has been highly encouraging. The Secretary-General also stated that if the effectiveness of the Register were to be strengthened further, it could serve as a significant early warning mechanism, contributing with other instruments to the prevention of conflict and to restraint in arms acquisition. In view of the scarcity and limited nature of global arrangements devoted to conventional weapons, it was observed that efforts should be made to improve and further develop the Register, which is one of only two existing global instruments on arms transparency, with a view to achieving greater relevance and wider participation.[14] The Group further observed that the Register had established a norm of transparency and had stimulated many Governments to develop and streamline their national systems for monitoring and regulating arms transfers. The Group believed that submissions by Member States to the Register provide a significant amount of official information that would not have been available otherwise, and that this information provided a basis for subregional, regional and global consultations between Governments.

21. The Group reaffirmed the role of the Register as a confidence-building measure designed to improve security among States and took note of the message of the Secretary-General that the Register is an important tool in the work of increased openness and transparency in the field of armaments. The Group was aware that it was reviewing the operation and further development of the Register at a significant period in its history with 10 years of data available for review. The Group emphasized that after such a period of operation it was appropriate to consider measures that would continue to keep the Register relevant to an increasing number of States, thus supporting the goal of universal participation, while also keeping its development abreast of technological changes in weapons systems and developments in military doctrine since its inception in 1992. The Group noted that the Register could contribute to enhancing confidence, easing tensions, strengthening regional and international peace and security and restraining arms transfers, taking into account the legitimate security needs of States. The Group also recognized that this contribution would be increased by greater, more consistent

participation of States in the Register, and by keeping the Register relevant in the light of developments in international peace and security.

22. In considering the development of the Register, the Group took full account of the relationship between transparency and the security needs of States. It reaffirmed that participation in the Register was a means of encouraging dialogue between States on this issue of security policy, which can provide valuable input into bilateral, regional and subregional dialogues on security concerns and the evolution of a more cooperative approach to security and conflict prevention.

# II. Review of reports submitted to the Register

## A. General

23. In the course of its deliberations, the Group had at its disposal the data and information submitted by Governments for the Register by 31 July 2003 for the calendar years 1992 to 2002, inclusive, as reflected in the figures in the appendix to the present report. For the purpose of analysis, the Group utilized the 10 years of data available for the calendar years from 1992 to 2001.[15] The Group also had before it the views of Member States on the operation of the Register and its further development, submitted to the Secretary-General. In light of those data and information, the Group reviewed the operation of the Register with a view to making recommendations for enhancing its operation and further development.

## B. Extent of participation

24. The Group noted that, with the exception of calendar year 1998, in each year of operation of the Register, over 90 Governments had submitted reports on international arms transfers. The number of submissions to the Register for the calendar years 2000 and 2001 increased significantly over all previous years. The highest participation level was achieved for the calendar year 2001, when 126 Governments submitted reports (see appendix, figure 1). The Group was encouraged by the increasing level of participation.

25. The Group took account of the fact that, as of 31 July 2003, a total of 164 Member States[16] have participated in the Register at least once, either by reporting a transfer or submitting a "nil" return. In addition, the Cook Islands and Niue have reported to the Register. Consistency in reporting has improved, most notably for calendar years 2000 and 2001.

26. In the 10 years of its operation, 52 States have participated consistently, while 20 have reported only once, and 27 have never submitted a report. The frequency of reporting by Governments is shown in the appendix to the present report (see appendix, figure 2).

27. Transfers involving some of the States not participating in a given year are reported upon in returns submitted by others participating in that year. Of the Member States that have never submitted reports, since 1992 there have been at least 10 States on average each year that have been reported upon by other Member States as either an importer or exporter. That number reached 22 for calendar year 2000 and 27 for calendar year 2001. Of those reported upon for calendar year 2001,

26 were reported as importers and one as an exporter. In addition to the 166 States that have actively participated in the Register to date, another 20 have been reported upon, bringing the total number of States that have participated in the Register or have been reported upon to 186.

28. The overall coverage of arms transfers provided by the Register can be calculated quantitatively. The total number of States involved in arms transfers covered by the Register in any given year is greater than the number of participating States in that year, as States that did not participate in the Register for that year may have been mentioned by those States submitting returns to the Register. Thus, 126 States participated in calendar year 2001, but the Register covered references to a total of 153 States. Of these additional 27 States, 15 have never participated, while 12 have participated at least once prior to calendar year 2001.

29. It was observed by the Group that the Register covers the great bulk of the global arms trade in the seven categories of conventional arms, as almost all significant suppliers and recipients of these weapons submit reports regularly.

30. Although the goal of universal participation has not yet been reached, the increase in reporting between 1999 and 2001 was viewed positively by the Group. The Group took note, however, of some of the factors affecting universal participation on international arms transfers. In some cases, States did not possess equipment or engage in transfers of equipment covered by the seven categories of the Register.

31. The Group emphasized the continuing importance of reporting "nil" transfers in order to confirm that no transfer had taken place. Overall, however, it was noted that many States do submit "nil" reports and that the submission of "nil" reports has increased each year since 1998. The number or States submitting "nil" reports for the calendar year 2001 was 77. Data on "nil" reports for both imports and exports and on international arms transfers appears in the appendix (see figure 3).

32. There remain, however, a number of potentially "nil"-reporting States that have not yet participated in the Register by submitting a "nil" return. Their participation is important in order to make progress towards the goal of universal participation and to expand the geographical boundaries of confidence-building through arms transparency. It was observed that some States that had been submitting "nil" reports were not consistent in their participation. In order to sustain growth in the level of consistent participation, it is important that "nil" reports are submitted, where appropriate. For example, six States that had participated in calendar year 2000 by submitting a "nil" report did not do so in 2001. The Group also noted that a substantial percentage of participating States had submitted "nil" reports for each of the 10 years. On average, "nil" reports account for 47 per cent of total participation. For calendar year 2001, approximately 60 per cent of the total submissions were "nil" reports.

33. It was noted that the level of reporting varied by region and that the pattern remained largely consistent over the reporting years. Participation in all regions improved in 2000 and 2001, although it remains low in some subregions. Participation by region, based on a United Nations list of regional groups, and for certain subregions by geographical groupings, is provided in the appendix to the present report (see figures 4-11).

34. It should be noted that the data in figures 4 through 11 represent Member States only. Thus, the submissions by the Governments of Cook Islands and Niue are not included. However, in all other figures and tables they are included.

35. Additional data on participation, showing ratios within regions, are provided in the appendix (see table 1).

## C. Reports on exports and imports

36. The Group observed that the number of States reporting exports and imports remained relatively stable throughout the period under review. The number of submissions showing exports and imports, as well as "nil" returns for calendar years 1992 to 2001 is reflected in the appendix (see figure 12).

37. It was observed that a number of States did not report to the Register, although they were reported upon as either an exporter or importer. On average, between calendar years 1992 to 1999, 11 States fell into this category, while for calendar years 2000 and 2001, 21 States and 27 States, respectively, were in this category. The States were not always the same each year.

## D. Reports on additional background information

38. The number of States reporting additional background information[17] has increased over the 10 years of operation of the Register. States are invited to provide information on procurement through national production and military holdings and can submit the information in any form they wish. A total of 31 States submitted reports on their military holdings for the calendar year 2001, while 29 submitted reports regarding their procurement through national production for the same calendar year. Of those States reporting this information, a significant majority provided information on the model and type, marking a qualitative increase in the data. The overall pattern of reporting on procurement through national production and military holdings is provided in the appendix (see figure 13). During the period from 1992 to 2001, some States reported on weapons falling outside the categories covered by the Register. The Group observed that many States had reported national policies relevant to the Register only once and thereafter reported only changes or additions as they occurred. A total of 39 States had provided such information since 1992, with 10 States providing that information for calendar year 2001.

## E. Assessment of reporting

39. In reviewing the 10 years of operation of the Register, the Group observed that in a number of cases participation lacked consistency. The Group therefore welcomed the continuing commitment of participating States to report to the Register on a regular basis. Continuity of reporting was important to preserve the relevance of the Register and to provide a basis for analysis of trends over time. The Group considered that non-participation or inconsistent participation by States could be attributed in some cases to political and bureaucratic reasons, as well as inadequate institutional capacity. In addition, some States might not have been convinced that the Register alone was relevant to their security concerns. In other

cases, the existing scope and parameters of the Register could be a reason for non-participation as well as a lack of resources or awareness of the operation and procedures of the Register. It was also noted that armed conflicts, severe political crises, or other negative developments in the international security situation might have hampered reporting in some cases.

40. The Group considered that achieving wider participation in the Register was of high importance. Greater awareness of the function of the Register and familiarity with its procedures could facilitate increased participation. Universality of participation would greatly increase the value of the Register as a confidence-building measure. Furthermore, failure to report by both the exporter and importer created uncertainty regarding the accuracy of the reported data, which wider participation would help to reduce.

41. The Group noted with satisfaction the improvements in reporting by States, such as the use of the simplified "nil" reporting form, achieved on the basis of recommendations of the 2000 Group of Governmental Experts.

42. The Group reaffirmed the value of participation by the submission of "nil" reports. Such reports helped to complete the overall picture of arms transfers within the scope of the Register and are a valuable contribution to the confidence-building process provided by the Register. In this regard, the Group noted that "nil" reporting had increased for calendar years 2000 and 2001.

43. The Group noted that the number of States meeting the 31 May deadline for the submission of reports had increased for calendar years 2000 and 2001. In 2001, 88 countries submitted their reports by 31 May. While States may report at any time, the Group considered it important that States report promptly by 31 May to enable the Secretariat to prepare the consolidated annual report on the Register in good time for consideration by the General Assembly. Prompt reporting would also enhance transparency by shortening the time between receiving such data and making it available to all Member States.

44. In analysing reporting by Governments, the Group noted significant variations among regions. These variations followed a consistent pattern, which could be related to reasons mentioned in paragraph 39 above. Changes in regional or subregional security and/or political situations in a particular calendar year could also play a role in the pattern of reporting from regions. However, since the inception of the Register, the general trend has been towards higher reporting from all regions.

45. The Group observed that mismatches continue to occur on details of transfers, such as the number of items transferred, the date of the transfer and the type of equipment, and that an important reason for some of those discrepancies could be the lack of a common definition of a transfer. This led to differing interpretations of not only whether a transfer had taken place but also of the timing of a transfer. National practices continue to differ and sometimes a transfer is reported in different years, leading to a mismatch in the Register. The Group noted that the practice of States in providing information on the reporting form on national criteria on transfers was helpful. The Group also recognized the utility of States conducting consultations prior to the submission of annual reports to prevent mismatches from occurring.

46. The Group was encouraged to note that the number of participating States using the "Remarks" column in the reporting format to provide, inter alia, the model and type of equipment transferred, had increased over the 10 years of reporting. Almost all of the 49 States reporting transfers used the "Remarks" column to provide a description of types and models for calendar year 2001.

47. The Group reaffirmed the view that the use of the "Remarks" column helped in gaining an understanding of the data provided and in identifying or reducing discrepancies, thereby adding considerable value to the Register. Information on models and types added clarity and provided an important qualitative element to reporting. The Group therefore encouraged Governments to maximize their use of the "Remarks" column when reporting transfers.

48. With regard to reporting on available background information, the Group noted with satisfaction the increase in reporting on military holdings and procurement through national production. It also noted that the overwhelming majority of reports on procurement through national production and military holdings provided data on the seven categories of the Register. A number of States reported regularly on these categories of background information. The Group took account of those voluntary practices and considered that continued dissemination of such information would be valuable.

# III. Regional aspects

## A. Overview

49. In resolution 46/36 L and in subsequent resolutions, the General Assembly called upon Member States to cooperate at regional and subregional levels, taking fully into account the specific conditions prevailing in the regions or subregions, with a view to enhancing and coordinating international efforts aimed at increased openness and transparency in armaments.

50. The Group noted variations in the pattern of reporting among the regions. It welcomed the efforts made by regional organizations and arrangements, individual Member States and the United Nations Secretariat to promote participation in the Register. It expressed the belief that this effort should be sustained in order to further increase the effectiveness of the Register as a confidence-building measure and to facilitate the further development of the Register and the goal of universal participation in the Register. The Group took note of the different security conditions, recognizing that complementary confidence- and security-building measures and other efforts to enhance security should take account of specific concerns and security perceptions. In that context, it noted that other measures related to weapons and equipment not covered by the categories in the Register had particular importance in certain regions in ensuring that the whole spectrum of security concerns was taken into account, in particular in those regions in which the threat of armed conflict still existed. The Group also noted that in certain instances the Register had a beneficial influence in stimulating activities in relation to confidence-building measures and discussions on regional security.

51. The Group reviewed the outcomes of the five regional and subregional workshops on "Transparency in armaments" organized in cooperation between the

United Nations Department for Disarmament Affairs, sponsoring Governments and host nations. Workshops were held in February 2001 in Phnom Penh for States of the Association of Southeast Asian Nations (ASEAN) Regional Forum, hosted by the Government of Cambodia and co-sponsored by the Governments of Canada and Japan. Subsequent workshops, co-sponsored by the Governments of Canada, Germany, Japan and the Netherlands, were held: in March 2002 in Accra for the United Nations Member States of the Economic Community of West African States (ECOWAS), hosted by the Government of Ghana; in June 2002 for the United Nations Member States of the Southern African Development Community (SADC) region in Windhoek, hosted by the Government of Namibia; in November 2002 for the Latin America and the Caribbean region in Lima, hosted by the Government of Peru; and in February 2003 for the Member States of the ASEAN region in Bali, Indonesia, hosted by the Government of Indonesia. In total more than 160 governmental experts participated in the five workshops. The Group valued the information received from the workshop reports and noted the contribution these reports made to its work.

## B. Support of the Register through regional arrangements[15]

### Africa

52. Overall participation in the Register by African countries has been the lowest among the regions of the world. Levels of participation have fluctuated during the calendar years 1992 to 2001. The lowest level of participation was in calendar year 1998, when only 6 per cent of Member States participated, while the highest level of participation was in calendar year 2001, with 32 per cent of States participating. Participants at the subregional workshops on the Register held in West and Southern Africa noted that reasons for non-participation could include: tensions within a subregion; bureaucratic difficulties in submitting reports; and concerns over national security related to transparency measures. A large proportion of non-participating States or those that have not participated consistently are those that would be likely to return a "nil" report. An analysis of regional reporting for Africa appears in the appendix (see figures 4 and 5).

53. The Group considered the issue of the relevance of the Register in the regional and subregional context. In that regard, the discussion of technical adjustments to the seven existing categories of the Register included, in some cases, consideration of weapon systems falling within the broad spectrum of small arms and light weapons, which have received a greater focus of attention in recent years in Africa. This greater focus on the issue of small arms and light weapons is evidenced by the adoption African Common Position on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons (Bamako Declaration of 1 December 2000) by the then Organization of African Unity (OAU) (now the African Union), as well as by the adoption of certain subregional measures and initiatives. These include the ECOWAS moratorium on the importation, exportation and manufacture of small arms and light weapons in West Africa (1998); the Protocol on the Control of Firearms, Ammunition and Other Related Materials in the Southern African Development Community (SADC) Region (2001); and the Great Lakes Region and Horn of Africa Conference on the Proliferation of Small Arms in March 2000 attended by Foreign Ministers, who adopted the Nairobi Declaration.

**The Americas**

54. Overall participation from Latin America and the Caribbean has increased from calendar year 1998 to calendar year 2001. In calendar year 1998, 42 per cent of States participated, whereas in calendar year 2001, 79 per cent of Member States participated in the Register. Participation in the region varied by subregion. An analysis of the Latin American and Caribbean States appears in the appendix (see figures 9 and 10). Significant developments in the region in the area of arms transparency are likely to facilitate a higher overall level of participation.

55. In June 1999, the General Assembly of the Organization of American States (OAS) adopted the landmark Inter-American Convention on Transparency in Conventional Weapons Acquisitions. The Convention puts in place a legally binding mechanism for strengthening regional stability through confidence-building and transparency. It requires States Parties to provide annual reports to the OAS depositary on their imports and exports of weapons covered by the Convention, which are identical to those covered by the United Nations Register. States Parties are required to notify the depositary of their acquisitions of conventional weapons, whether through imports or national production, within 90 days of incorporation in the armed forces. States parties that have not acquired weapons are required to submit a "nil" report no later than 15 June each year. The Convention entered into force in November 2002. Eight OAS Member States had ratified the Convention by 1 August 2003. In the field of small arms and light weapons, the Member States of OAS signed and adopted the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials. The Convention came into force in 1998. Twenty OAS Member States had ratified the Convention as of August 2003.

**Asia and the Pacific**

56. In the region of Asia and the Pacific, the overall level of participation has risen each year since 1999. While the lowest level of participation was 38 per cent in calendar year 1998, the highest level of participation occurred in calendar year 2000 when 67 per cent of Member States reported to the Register. In calendar year 2001, 57 per cent of States reported.[19] The increase was partly due to nearly full participation by the States Members of the Pacific Island Forum in the past few years, making use of the simplified form for submitting "nil" returns as was recommended by the 2000 Group of Governmental Experts. The increased level of participation may be modest compared to some other regions. However, it should be noted that the Asia/Pacific region consists of several distinct subregions, and does not have a region-wide organization comparable to the Organization for Security and Cooperation in Europe (OSCE), OAS and the African Union. An analysis of subregional reporting in Asia and the Pacific appears in the appendix (see figures 6 and 7).

57. As with other regions, levels of participation varied by subregion. Participation has been markedly low in areas of tension such as West Asia, affecting the level of overall participation. In this regard, no significant developments have taken place in terms of participation in the Register nor has a dialogue begun on subregional transparency mechanisms. The Group noted that participation was affected by security concerns and threat perceptions that impacted on transparency and confidence-building efforts more generally as well as participation in the Register in

particular. The Group recognized that low participation in the Register and efforts to further develop and improve the instrument are interrelated. The Group also took note of the action taken by the General Assembly relevant to the Mediterranean context. In its resolution 57/99 of 22 November 2002, entitled "Strengthening of security and cooperation in the Mediterranean region", adopted without a vote on 22 November 2002, and in similar resolutions in earlier years on the same subject, the General Assembly encouraged all States of the Mediterranean region to favour the necessary conditions for strengthening the confidence-building measures among them by promoting genuine openness and transparency on all military matters, inter alia, by providing accurate data and information to the United Nations Register of Conventional Arms.

58. In the subregion of Southeast Asia, from the time of its establishment in 1994 the ASEAN Regional Forum has been making efforts for the eventual participation by all Member States in the Register. The ASEAN Regional Forum Confidence-building Mechanisms Seminar on Conventional Weapons Transfers, held in Cambodia in February 2001, and the United Nations Workshop on Transparency in Armaments, held in Indonesia in February 2003, made valuable contributions to such efforts.

**Europe**

59. Participation by the European States has been the highest among the regions of the world since the inception of the Register. In particular, States in Western Europe have reported consistently since calendar year 1997, while States in Eastern Europe have been reporting consistently since calendar year 2000.

60. To strengthen confidence and security among its participating States, OSCE has adopted a number of documents and other confidence- and security-building measures providing for increased transparency on matters related to conventional armaments. By a decision of the OSCE Forum for Security Cooperation in December 1997, participating States circulate annually among themselves their data and other background information as provided to the United Nations Register. This information may be reviewed and discussed annually as well as at the time of the annual implementation assessment meeting of the Forum, thus encouraging dialogue among participating States. Following a decision by the OSCE Forum in December 1995, OSCE participating States provide information annually, in response to a questionnaire, on their policy and national practices for the export of conventional arms and related technology. In November 2000, the OSCE adopted its Document on Small Arms and Light Weapons. With effect from June 2002, the document requires participating States to exchange information annually on transfers of small arms and light weapons.

61. The European Union continues to promote adherence to the Register by encouraging all its Member States and associated countries to submit returns to the United Nations Register.

## C. Assessment of the workshop series

62. The Group reviewed the regional/subregional workshops on "Transparency in armaments" held between 2002 and 2003, in accordance with the recommendation of the 2000 Group of Governmental Experts and the implementation of General

Assembly resolution 55/33 U, which endorsed the report of the Group. The objectives of each workshop were to enhance familiarity with the scope and procedures of the Register of Conventional Arms and the standardized instrument for reporting military expenditures and to obtain feedback from participating Member States to promote continued progress and further development of the two mechanisms.

63. In reviewing the outcomes of the two subregional workshops conducted in Africa, the Group observed that States in these regions valued the Register as a confidence-building measure and agreed in principle on the need for participation, which could have a positive impact on regional security and stability. In the ECOWAS region, the issue of small arms and light weapons was judged to be of special relevance. The report noted that adjustment of categories, such as lowering the calibre of heavy artillery or lowering the tonnage of warships, could increase such relevance. It also noted the possibility of a significant role for the United Nations Secretariat in follow-up to the information emerging from the Register. In the report of the SADC workshop, issues that could assist in increasing the relevance of the Register to that subregion included small arms and light weapons and the transfer of technology as new categories to the Register. Participants recognized the importance of transparency in weapons of mass destruction, but considered that this should be pursued outside the Register.

64. In reviewing the outcome of the regional workshop held for Latin America and the Caribbean, the Group noted that as far as the seven categories were concerned, the participants supported the idea of extending the definition of these categories in order to enlarge the confidence-building role of the Register. Some participants, notably from the Caribbean States, stressed their concern about small arms and light weapons and the relevance of a transparency instrument for such weapons, but they were flexible as to whether this should be pursued through the United Nations Register or some other instrument.

65. In reviewing the outcome of the ASEAN subregional workshop, the Group noted the suggestion to hold such workshops at regular intervals to sustain familiarity with the instrument. The participants acknowledged the importance of transparency in armaments and the practical exercise of submission of returns, including "nil" returns, where applicable. With regard to the expansion of the scope of the Register, the general view among the participants appeared to be in favour of a pragmatic approach that would allow for continued progress without endangering the instrument's future. The question of raising the profile of "procurement through national production" and "military holdings" in the Register was also raised.

66. The Group found that the workshops had provided a valuable opportunity for Member States to become more informed about the Register and to discuss reasons for variances in regional reporting. The workshops also helped to facilitate greater participation and more consistent reporting to the Register. There was broad support for the Register in all regions and subregions covered by the workshop series, while in some regions and subregions enhancing the relevance of the Register in terms of its scope was considered important for achieving greater participation. The Group was also encouraged by the recognition of many participating States that better use should be made of national points of contact to facilitate communication related to the Register.

### D. Enhancing implementation at the regional and subregional levels

67. The Group felt that regional and subregional efforts should be encouraged as they may lead towards a greater degree of openness, confidence and transparency in a region, thereby promoting greater participation in the Register. The Group expressed the hope that increased regional participation and efforts to update and develop the Register will be mutually reinforcing. In that context, the Group believed that it was necessary to undertake further action to promote participation in the Register, including the continuation of regional and subregional workshops and other measures designed to promote participation in the Register.

68. The Group felt that promotional and familiarization efforts should be focused, in particular, on those regions or subregions where such efforts could assist in increasing participation or improve the consistency of participation by States. With regard to promoting participating in the Register, the Group noted that a number of States had engaged in multilateral, regional, subregional or bilateral efforts to that end. In addition, the Group noted that some States had assisted in efforts to promote the Register at appropriate regional or subregional levels, for example through sponsoring and hosting the workshops and supporting the production of publications on the Register, and expressed their appreciation for those efforts as well as encouraged States to continue such support. In this context, the role of the Regional Centres of the Department for Disarmament Affairs was reinforced.

## IV. Operation of the Register

### A. Reporting methods

69. The Group observed that for many States submitting "nil" reports, the simplified reporting form was widely used and that an increasing number of States were returning "nil" reports using the simplified form. The Group expressed satisfaction with the trend towards greater use of the "Remarks" column in the standardized reporting form, as this enhanced the value of information provided on international arms transfers and thereby further strengthened the confidence-building role of the Register. The Group noted that some States are providing available background information to the Secretariat on a voluntary basis in whatever form they deem appropriate, even on areas not covered by the Register, for example small arms and light weapons.

### B. Contacts among Member States

70. The Group believed that, in order to avoid and/or resolve possible discrepancies in the data submitted by exporters and importers, as well as other issues relevant to the Register, direct bilateral contacts were important, as well as other contacts, where appropriate. The Group therefore encouraged all Governments to appoint an official, national point of contact. Such points of contact could deal with queries arising from the national submissions with a view to resolving misunderstandings or possible anomalies. It would also provide an efficient channel of communication between national capitals and the Secretariat to facilitate and expedite the submission of reports for the Register and address related matters. The

Group noted that, to date, 82 Governments had provided information to the Secretariat on their national point of contact and encouraged other Governments to provide such information to the Secretariat. It also noted that other official channels of communication, on a bilateral basis, could play a useful role in addressing issues relevant to the Register.

71. The Group discussed the inclusion of an e-mail address for the national point of contact in the standardized reporting form, which currently seeks telephone and fax numbers. The Group also discussed the need for information on national points of contact to be provided by those countries that used the simplified "nil" reporting form. To that end, the Group reviewed methods of including such information.

## C. Access to data and information reported

72. The Group believed that in order to enhance the value of the Register as a tool to build confidence in security matters, Member States should be assured of full access to the data and information stored in the Register database. Since the report of the 2000 Group of Governmental Experts, this has been achieved in a number of ways, including the use of electronic means. The Secretariat has established a web page for the Register on the Secretariat home page for disarmament matters, which includes links to other arms transparency instruments and the database, makes national submissions available through a database and includes an electronic version of the United Nations information booklet on the Register. The Secretariat has also actively disseminated publicity material prepared by the Department for Disarmament Affairs and particularly designed to inform national Governments of the relevance of the Register as a confidence-building measure.

73. In addition to those measures, the Group discussed the submission of electronic copies of national reports to the Register. These electronic submissions would serve the purpose of corroborating formal national submissions received in paper form by the Secretariat. The Group noted that States could facilitate the compilation of information by the Secretariat if they were to provide electronic copies of national submissions to the Secretariat. Electronic copies of the forms for returns are available on the web site of the United Nations but returns still must be submitted formally in paper form to the Secretariat.

## D. Role of the United Nations Secretariat

74. The Group noted the importance of the role of the Secretariat in giving advice to Member States, when requested, on technical aspects of completing reports to the Register and in clarifying technical ambiguities in reports submitted. To enhance participation, timely reporting to the Register as well as timely preparation of the annual consolidated report of the Secretary-General to the General Assembly, the Group believed that it was important that the Secretariat continue to play a central role in promoting awareness of the Register and the procedures for reporting.

75. The Group observed that the operation, further development and universalization of the Register require strong and continuing support by the United Nations system and that the continued viability of the Register would be affected if the system was unable to provide adequate support, especially as the workload of the Secretariat in maintaining the Register has increased. In this regard, the Group

noted that institutional support for the Register has steadily declined since the creation of the Department for Disarmament Affairs in 1998 and the assignment of responsibility for the Register to the newly created Conventional Arms Branch in 1999. The initial staffing levels approved by the General Assembly for the Register in 1994 were three full-time staff members, one P-5 Senior Political Affairs Officer, one P-2 Associate Political Affairs Officer, and one G-6 General Service staff member. The Group underscored the importance of restoring support for the Register to its original levels and establishing transparency and confidence-building as one of the core missions of the Department for Disarmament Affairs.

76. The Group expressed appreciation of the role of the Department for Disarmament Affairs in disseminating useful information and educative material relating to the Register. In that regard, it commended the Department for the establishment of the Register web page, its crucial support for the regional and subregional workshops and ongoing efforts to promote participation and raise awareness of the Register and its role as a confidence-building measure.

77. The Group considered ways and means by which support to the Secretariat could be extended. In this regard, the Group considered the option of using a trust fund, to which Member States, non-governmental organizations (NGOs) and individuals could make contributions to support the Register, inter alia, through workshops, publications and further development of the web site. The Group also discussed the provision of direct support to the Secretariat as a means of providing extrabudgetary assistance to support the Register. This support could include in-kind contributions, inter alia, logistical support for workshops, direct financial support, hosting workshops or providing for the inclusion of a qualified expert on the Register at other relevant meetings.

# V. Development of the Register

## A. General

78. By its resolution 46/36 L, the General Assembly initiated the process for the adjustment of categories and the expansion of the scope of the Register by the addition of further categories of equipment and the inclusion of data on military holdings and procurement through national production. Modalities for such adjustments and expansion were considered by the 1992 Panel, which presented its findings to the forty-seventh session of the General Assembly. Subsequent Groups of Governmental Experts, in 1994, 1997 and 2000, extensively discussed the question of further development of the Register, but no agreement was reached.

79. The 2003 Group of Governmental Experts undertook a detailed and extensive examination of the issue of adjustments to the seven categories of equipment covered by the Register and the expansion of its scope. In this task, the Group took into account the observations of the Secretary-General on the tenth anniversary of the Register:

> "To increase the Register's relevance in all subregions, and thereby facilitate greater participation, technical adjustments to the agreed categories of weapons systems needs to be considered. Continued improvement in the quality of data provided by Governments would also help strengthen the

Register. And it could be made a more balanced instrument if countries gave the same priority to reporting procurement through national production and military holdings as they give to reporting on international arms transfers."

80. The Group noted that some Member States had provided the Secretary-General with their views on the continuing operation of the Register and its further development and on transparency measures related to weapons of mass destruction, in accordance with paragraph 4 of General Assembly resolution 54/54 O, paragraph 4 of General Assembly resolution 54/54 I, paragraph 5 (a) of General Assembly resolution 55/33 U and paragraph 4 (a) of General Assembly resolution 56/24 Q.

81. In the context of proposals regarding technical adjustments, the Group examined the concepts of force projection and force multiplier capabilities due to technological and doctrinal developments affecting the conduct of modern warfare during the years of operation of the Register. These proposals were made without prejudice to the differing military doctrines of the Member States with regard to the offensive-defensive nature of the weapon systems. In the context of force project and force multiplier capabilities, the Group also recognized the different levels of development in the field of military technologies and doctrines of various Member States and the conceptual differences among them with regard to whether such systems should fall within the scope of the Register's seven categories. The Group sought, therefore, to take a balanced view with regard to technical adjustments that might be of more relevance in some regions where their security concerns were not currently met by the scope of the Register's seven categories. The Group also examined the question of whether adjustments of this type would affect the focus of the Register and participation.

82. With regard to the expansion of the scope of the Register, the Group also considered the issue of procurement through national production and the proposal of encouraging the voluntary provision of information in the same format as that for reporting transfers. In addition, the Group reviewed the interrelation of small arms and light weapons with the Register, especially in light of the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects adopted at the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects in July 2001.

83. The discussions undertaken by the Group were enriched by contributions made by the members of the Group of Governmental Experts, including through the introduction of discussion papers and other specific proposals for technical adjustments to the seven categories and the possible expansion of the scope of the Register.

## B. Relevance of the Register

84. The Group undertook a broad discussion on the relevance of the Register to the security concerns of States after 10 years of its operation. Substantial increases in participation by States during calendar years from 1999 to 2001 indicated that the Register was viewed as an important transparency and confidence-building instrument. The Group noted that the Register, in view of its existing scope, was perceived as less relevant to the security needs of States in some regions or subregions than in other regions. The Group also noted that technical adjustments to

the seven categories of equipment, as well as expansion of the scope of the Register, required that due regard be given to the effect this could have on participation.

## C. Categories covered by the Register

### Category I
### Battle tanks

85. The Group believed that the existing definition of battle tanks provided adequate coverage. In this regard, it was observed that the technological trend was in two areas: towards tanks with higher tonnage and gun calibre or towards using new technologies to develop lighter tanks, although not less than 16.5 metric tons.

### Category II
### Armoured combat vehicles

86. The Group discussed amendments to the existing definition of armoured combat vehicles that would allow for the inclusion of capabilities related to reconnaissance and electronic warfare, as well as other functions such as armoured recovery vehicles and tank transporters. The question of light tanks was also discussed as such tanks could be viewed within the framework of this category. The Group concluded that all tanks were covered by either category I or II and further specification was not necessary.

### Category III
### Large-calibre artillery systems

87. Recalling the discussions on adjustments under category III that had taken place during each previous group of governmental experts, the Group examined the relevance and significance of artillery systems between the ranges of 35 and 100 mm, which fall outside the existing definition. For example, lowering the threshold to 75 mm would include 81 and 82 mm mortars, which have been widely used in some recent conflicts, particularly in Africa. The possibility of lowering the calibre to 35 mm was also discussed, including how definitions of artillery systems and light weapons might be affected as the result of such a change. The review of this issue led to an analysis of possible measures to increase transparency in small arms and light weapons. In this context, the Group noted the significant efforts that had been made at the global, regional and subregional levels with regard to small arms and light weapons and, in particular, the adoption of the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, through which Member States recognized the grave concern about the illicit manufacture, transfer and circulation of small arms and light weapons and their excessive accumulation and uncontrolled spread in many regions of the world.

### Category IV
### Combat aircraft

88. In category IV, adjustments were considered in relation to military aircraft, for example the inclusion of force multipliers, such as command of troops and force projection capabilities such as air-to-air refuelling and aircraft designed to perform military transport and airdrop missions. The Group also discussed whether the

existing definition, which referred to "versions of combat aircraft", covered all military aircraft that performed electronic warfare, suppression of air defence and reconnaissance missions. Consideration was also given to the same point under category V. The Group also discussed developments in unmanned aerial vehicles and their relevance to the Register.

**Category V**
**Attack helicopters**

89. In category V, the Group examined the question of adjustments in relation to combat support systems, for example, target acquisition (including anti-submarine warfare), communications, command of troops, mine-laying missions or military transport tasks. As with category IV, the Group discussed the implications of technical adjustments that might require rephrasing the category title.

**Category VI**
**Warships**

90. The discussion in relation to warships focused on lowering the tonnage of surface warships, with specific discussion on the implications of lowering the tonnage from 750 to 400 metric tons and the option of removing the range limits for missiles and torpedoes, which would include, inter alia, mine-laying vessels. The Group also discussed lowering the tonnage of submarines from 750 to 50 metric tons with the possibility of no reference to missiles and torpedoes which would include, inter alia, midget submarines. The Group also considered lowering the tonnage of surface warships to 150 metric tons and lowering the tonnage of submarines to 50 metric tons while keeping the range of missiles and torpedoes to at least 25 kilometres. The question was raised whether vessels that would be covered by the proposed reduction of tonnage should be regarded as being offensive or defensive or potentially destabilizing.

**Category VII**
**Missiles and missile launchers**

91. The Group discussed whether or not missile systems with ranges of less than 25 kilometres, including anti-armour and ground-to-air missile systems should be included in the Register. In addition, the discussion focused on the issue of man-portable air defence systems (MANPADS) and the desirability for increased transparency in the international transfer of these systems. The interrelationship between MANPADS and small arms and light weapons was discussed in this regard.

## D. Expansion of the scope of the Register

92. The Group noted that information on procurement through national production could make transparency in arms acquisition more comprehensive. The Group discussed whether or not reporting on procurement through national production should be undertaken on the same level as national reports on transfers. The Group observed that it remained unclear if and how expanding the scope of the Register in this way would influence participation in the Register. The Group also discussed a proposal to make available to participating States an illustrative form for reporting, on a voluntary basis, procurement through national production.

93. Recognizing the sensitivities concerning military holdings, the Group also considered the significance of reporting on military holdings. The Group noted that security concerns, among others, could affect decisions of States whether to report on both types of information.

94. The Group discussed the issue of small arms and light weapons extensively, taking note of the concern over the illicit trade in small arms and light weapons as reflected in the United Nations Programme of Action and recognizing the need "to encourage regions to develop, where appropriate and on a voluntary basis, measures to enhance transparency with a view to combating the illicit trade in small arms and light weapons in all its aspects", as stated in that Programme. The Group observed that member States of the OSCE annually exchange information on their transfers of small arms and light weapons. Some interested States have voluntarily provided information to the United Nations on such transfers with their submission to the Register.

### E. Future review of the Register

95. The Group emphasized the importance of periodic reviews of the continuing operation of the Register and its further development and, in this connection, also took into account the feedback received from the regional and subregional workshops held between 2001 and 2003 to promote the Register. It noted the increase in participation during the calendar years 1999 to 2001 and the need to ensure the continued progress of the Register as a relevant and significant international transparency and confidence-building measure and a means for conflict prevention.

## VI. Conclusions and recommendations

### A. Conclusions

96. The Group concluded that the United Nations Register of Conventional Arms had made significant progress since its inception in 1992 and that it had entered a period of increased participation. Renewed efforts were now required to ensure reporting on a regular basis and progress towards universal participation, as well as continued attention to its further development and increased relevance. It noted that the quality of information provided by States has also grown and improved. Nevertheless the Group observed wide variations in the level of participation among the regions, as well as within regions in some cases, which called for targeted efforts at the regional and subregional levels to encourage wider participation, including the holding of regional and subregional workshops on the Register and sustained support for outreach efforts by the Department for Disarmament Affairs.

97. In addition to sustaining the ongoing series of regional and subregional workshops, the Group noted that there were other activities that could be pursued to promote the objectives of the Register, such as the holding of a session devoted to the Register on the margins of appropriate meetings of international, regional and subregional organizations, as well as other groupings of Member States. In this regard, the Group further noted the possibility of including the Register in the agenda of relevant meetings of regional and subregional organizations, as well as

organs and agencies of the United Nations system, in particular the Regional Centres for Africa, Asia and the Pacific and Latin America and the Caribbean of the Department for Disarmament Affairs.

98. While noting that an increasing number of States were reporting consistently, the Group reaffirmed the importance of encouraging all States to report regularly and in a timely manner to the Register. The importance of providing "nil" reports was emphasized as this would confirm that transfers covered by the Register to or from the reporting State had not taken place in a particular calendar year, thereby providing as complete a picture as possible of transfers of equipment covered by the Register. The Secretariat should continue its work to facilitate such reporting.

99. The Group emphasized th importance of prompt reporting by the 31 May deadline as far as possible in order to facilitate early compilation of the data and information. It supported the continuation of the practice by the Secretariat of circulating, under cover of a note verbale, the reporting forms to Member States by the end of January each year to help facilitate timely submissions.

100. The Group expressed satisfaction with the increased use of the "Remarks" column, indicating, models or types of transferred equipment, and concluded that the reports containing such information added qualitatively to the data contained in the Register, enhancing its value as a confidence-building and transparency measure. It encouraged States to continue to provide such information.

101. The Group encouraged Member States to provide their national point of contact for the use of the Secretariat in the operation of the Register and for onward dissemination to interested Member States. It concurred with the 2000 Group that a designated point of contact could play a significant role in facilitating accurate and efficient reporting to the Secretariat by allowing for corroboration of the data submitted as well as providing a means for clarification between Member States.

102. With regard to the national point of contact, the Group agreed that the standardized reporting form should include a provision for an e-mail address and that the reference to "Organization" on the form should also specify "Division/Section". The Group also agreed that since the simplified "nil" reporting form does not contain any reference to information on the national point of contact, it should include the same request as indicated on the standardized reporting form.

103. The Group noted with satisfaction the improvements in electronic dissemination of information on the Register and data submitted, primarily through the United Nations web site. It also encouraged States to provide the Secretariat with both paper and electronic copies of submissions to facilitate corroboration of information provided in their formal submissions to the Secretariat.

104. The Group expressed the hope that greater participation in the Register could be reached through the encouragement of regional and subregional efforts that would lead to a greater degree of openness, confidence and transparency in a region and that increased regional participation and efforts to update and develop the Register will be mutually reinforcing.

105. The Group considered a number of adjustments to the existing seven categories of the Register as reflected in paragraphs 85 to 91 above. As no agreements was reached on some of these adjustments, the Group concluded that

further consideration should be given to the issues raised in the next periodic review of the Register.

106. With regard to the further development of the Register, the Group discussed the proposal of including procurement through national production on the same basis for transfers. The discussions reflected the different viewpoints existing within the Group on this issue. It recognized that some States attached great importance to this issue. The Group welcomed voluntary reporting by a number of States on military holdings and procurement through national production. It recognized that security concerns, among others, could make it difficult for some States to provide both types of information. The Group reaffirmed the goal of early expansion of the Register.

107. The relationship between existing categories and possible new categories of conventional arms, including small arms and light weapons, was discussed. The Group noted the concern over the illicit trade in small arms and light weapons as reflected in the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, and recognized the need "to encourage regions to develop, where appropriate and on a voluntary basis, measures to enhance transparency with a view to combating the illicit trade in small arms and light weapons in all its aspects" as stated in that Programme. The Group noted that interested States could provide voluntary information on transfers of small arms and light weapons with their annual submissions.

108. The Group recognized the particular importance now attached by the international community to the issue of small arms and light weapons, including MANPADS, since the report of the 2000 Group of Governmental Experts and the adoption of the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects in July 2001. In this context, the Group also noted the close interrelationship of its work with the Programme of Action and recognized the exceptional circumstances that have developed in the past and that currently exist. Allowing for the further development of that important instrument, the Group considered the inclusion of MANPADS transfers within the scope of the Register. While considering the inclusion of MANPADS in category VII of the Register, the Group agreed that such inclusion should be treated as an exception and that the legitimate security concerns of States should be duly taken into consideration.

109. In order to facilitate universal participation as well as the continued development of the Register, as called for by the General Assembly in resolution 46/36 L and subsequent resolutions, the Group concluded that the review process, initiated at the time of establishment of the Register should be continued. Such a review process was essential to the task of ensuring the continued progress of the Register.

110. The Group recognized the need to support the strengthening of the Department for Disarmament Affairs in order to improve the continuing operation of the Register. The Group concluded that the Department should actively support and promote the United Nations Register of Conventional Arms as a primary mission.

111. The Group considered the option of using an appropriate trust fund of the Department of Disarmament Affairs to which contributions could be made to

support the Register, as well as the provision of direct support to the Secretariat through in-kind contributions or financial support.

## B. Recommendations

112. The Group recommends that, based on the discussions of the adjustments to the categories covered by the Register, including the exceptional inclusion of Man-Portable Air-Defence Systems (MANPADS) as referred to in paragraph 108 above, the following revised categories and their definitions be used for reporting to the Register.

**III. Large-calibre artillery systems**

Guns, howitzers, artillery pieces combining the characteristics of a gun or a howitzer, mortars or multiple-launch rocket systems, capable of engaging surface targets by delivering primarily indirect fire, with a calibre of 75 mm and above.

**VII. Missiles and missile launchers**

(a) Guided or unguided rockets, ballistic or cruise missiles capable of delivering a warhead or weapon of destruction to a range of at least 25 kilometres, and means designed or modified specifically for launching such missiles or rockets, if not covered by categories I through VI. For the purposes of the Register, this sub-category includes remotely piloted vehicles with the characteristics for missiles as defined above but does not include ground-to-air missiles.

(b) Man-Portable Air-Defence Systems (MANPADS).

113. The Group also recommends that:

(a) Member States should participate in the United Nations Register of Conventional Arms in order to reach the level of universal participation, with a view to achieving the shared goals of the instrument;

(b) Member States should enhance awareness of the Register and the importance of participating on a regular basis in the Register as well as by providing data, available background information and making "nil" reports on categories covered by the Register;

(c) Member States in a position to do so should make use of the "Remarks" column in the standardized reporting form to provide additional data, such as models or types;

(d) Member States should be encouraged to report promptly in order to help ensure the early dissemination to States of the data and the information in the reports;

(e) Without prejudice to the differing situations, capacities and priorities of States, the Group noted that interested Member States in a position to do so, where appropriate and on a voluntary basis, provide additional information on transfers of small arms and light weapons made or modified to military specification and intended for military use; and, where national, subregional and regional mechanisms

exist, recommends that they make use of these reporting methods, including definitions of small arms and light weapons, as they deem appropriate;

(f) Member States should nominate a national point of contact for matters connected with the Register and details on the contact point should be sent with the annual submission on the understanding that this information will be held by the Secretariat and provided only to States. Furthermore, the Secretariat should maintain an updated list of national points of contact and circulate it to all Member States. The standardized reporting form should be amended to allow for the provision of an e-mail address and should also specify a reference to "Division/Section" after "Organization" for the national point of contact;

(g) The simplified form for submitting "nil" returns on exports and imports should be amended to allow for the provision of information on a national point of contact;

(h) The Secretariat should make all possible efforts to promote the Register as a confidence-building measure and a means of conflict prevention and restore the financial and administrative resources that were originally devoted to setting up and operating the Register;

(i) The Secretariat should further strengthen the role of the Regional Centres of the Department for Disarmament Affairs in facilitating progress of the Register;

(j) The workshop series should be sustained, focusing on regions and subregions that have not yet hosted a workshop, as well as returning to regions and subregions periodically, for example every two or three years, to strengthen and consolidate the progress of the Register and receive feedback from regions and subregions on the operation and further development of the Register;

(k) Interested Member States, NGOs and individuals should be encouraged to contribute financial support to the relevant Department of Disarmament Affairs trust fund earmarked for United Nations Register activities and programmes.

114. The Group further recommends that the General Assembly should consider providing additional resources to the Secretariat to operate and maintain the Register and to:

(a) Update the United Nations information booklet on the United Nations Register of Conventional Arms on the basis of the present recommendations and distribute it among Member States and regional organizations;

(b) Send a note verbale, with the reporting forms and the categories covered by the Register, to Member States by the end of January and reminders, where appropriate, including through the daily *Journal of the United Nations* or direct contact by the Secretariat;

(c) Ensure that all information relating to the Register is electronically available as soon as possible. The updated United Nations information booklet on the Register should also be made available on the Register web site both as a hypertext linked series of pages and as a downloadable document;

(d) Continue to provide the General Assembly with the annual consolidated report of data and information registered, including that provided on a voluntary basis on military holdings and procurement through national production, together with an index of other additional background information. States providing data on

military holdings and procurement through national production may request that these data not be published;

(e) Ensure that all basic data and information relevant to the Register is available electronically in all official languages of the United Nations;

(f) Undertake a study with the assistance of a technical expert to determine the feasibility of electronic filing of national submissions to the Register;

(g) Further develop and expand the web site of the Register, including establishing links between this web site and other institutions, including international and regional organizations, research institutions and other relevant NGOs;

(h) Send the annual consolidated report of the Secretary-General to capitals and to all permanent missions to the United Nations in electronic form or hard copy, as appropriate;

(i) Facilitate informal meetings relevant to the Register, such as briefings by the Secretariat on its operation and procedures, including on the sidelines of the meetings of the First Committee;

(j) Facilitate the inclusion of sessions on the Register in the agenda of relevant meetings of regional and subregional organizations, other groupings of Member States and organs and agencies of the United Nations system;

(k) Facilitate the holding of regional and subregional workshops, seminars and other events, as appropriate, particularly to encourage greater participation in and understanding of the Register.

*Notes*

[1] Resolution 47/52 L.

[2] A/47/342.

[3] In accordance with resolution 48/75 E.

[4] Resolution 49/75 C.

[5] A/49/316.

[6] Resolution 51/45 H.

[7] Resolution 52/38 R.

[8] A/52/316.

[9] Resolution 52/38 B.

[10] A/52/312, Corr.1 and 2 and Add.1 and 2 and A/52/316.

[11] Resolution 55/33 U.

[12] A/55/281.

[13] http://disarmament.un.org/cab/register.html.

[14] The other mechanism is the United Nations standardized instrument for reporting military expenditures.

[15] Submissions for calendar year 2002 are ongoing. The most recent completed calendar year is 2001, for which submissions were received in 2002.

[16] Cook Islands and Niue are non-Member States.

[17] In accordance with resolution 46/36 L, para. 10.

[18] In order to facilitate the analysis of trends over the 10 years of operation of the Register, information in this section is provided by percentage. The ratio of participation for each region is presented in the appendix, table 1.

[19] The number of Member States within the Asian States regional grouping increased by six between 2000 and 2001, to 54 (see appendix, table 1).

# Appendix

## Figures and table on reporting to the Register

(As of 31 July 2003)

Figure 1

**Consolidated annual reporting for calendar years 1992-2002**

Note: submissions for calendar year 2002 have not been completed

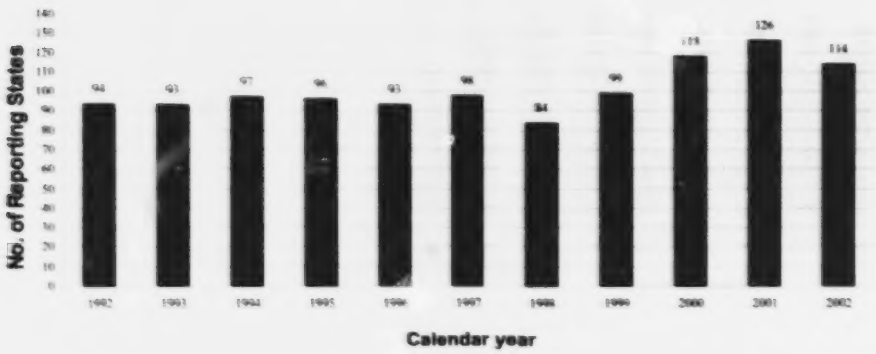



Figure 2

**Frequency of reporting for calendar years 1992-2001**

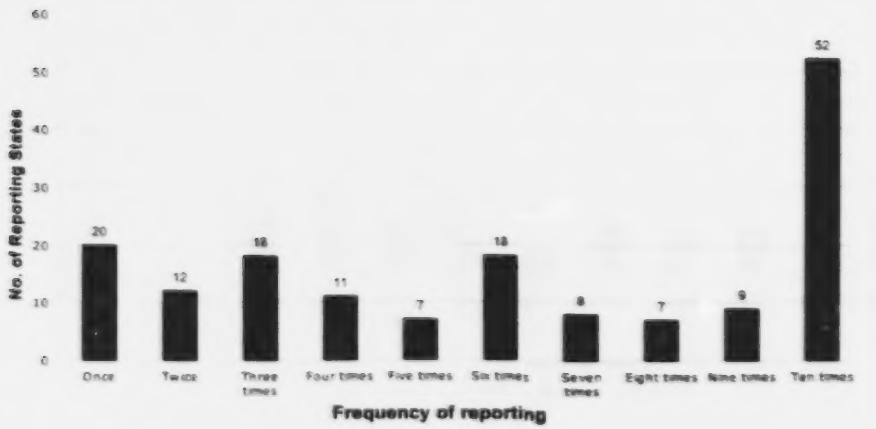


Figure 3
**"Nil" reports and reports of transfers 1992-2002**

Note: submissions for calendar year 2002 have not been completed

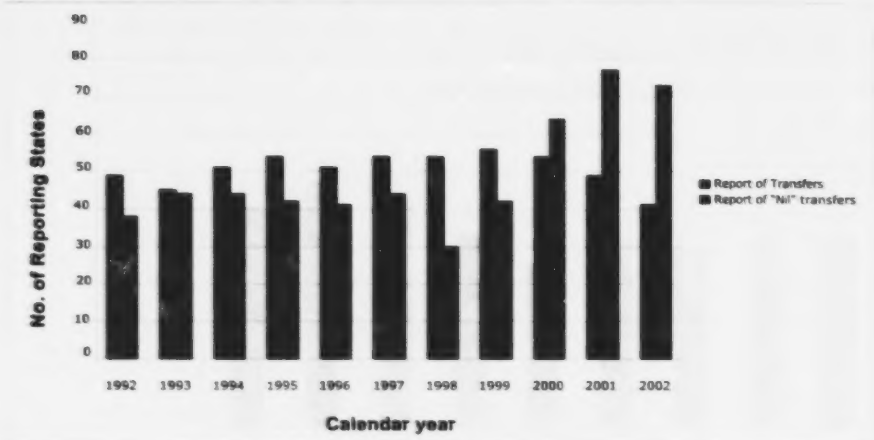



Figure 4
**Reporting patterns for Africa 1992-2002**

Note: submissions for calendar year 2002 have not been completed

Figure 5
**Reporting patterns for Africa by geographical subregion**

Note: submissions for calendar year 2002 have not been completed

Figure 6
**Reporting pattern for Asia and the Pacific 1992-2002**

Note: submissions for calendar year 2002 have not been completed

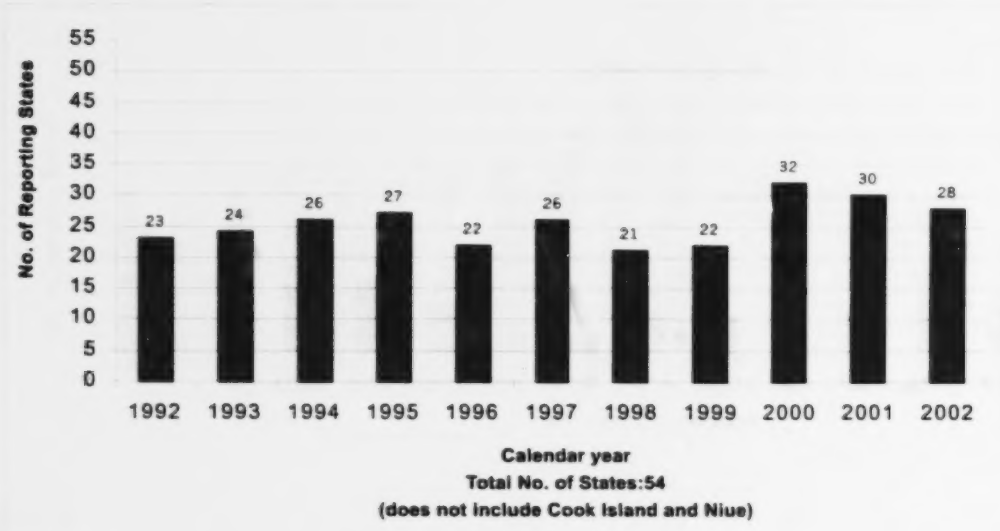
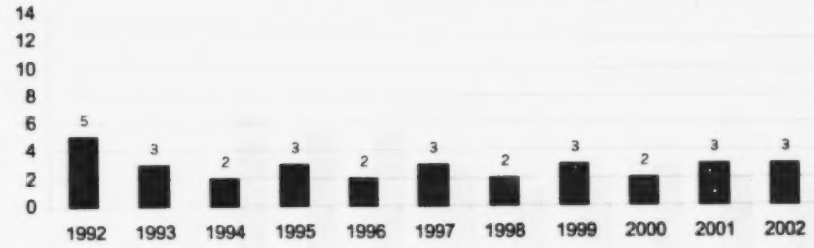



Figure 7
**Reporting pattern for Asia by geographical subregions**

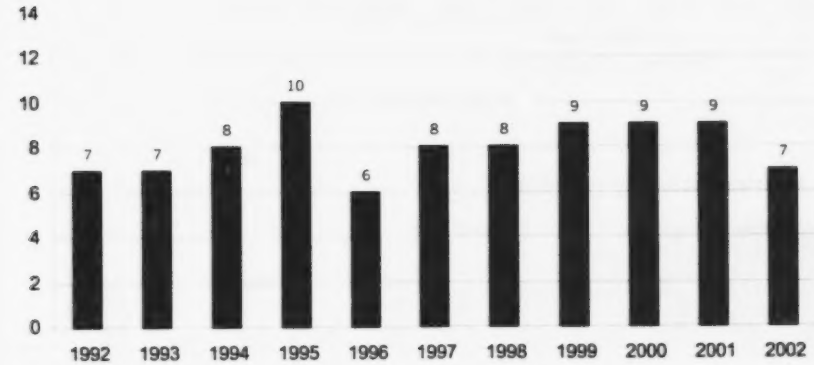
Note: submissions for calendar year 2002 have not been completed

**West Asia**



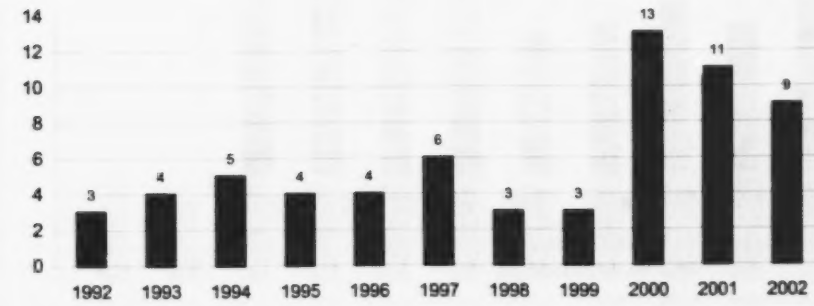

Total No. of States: 13

**Central and South Asia**




Total No. of States: 13

**Pacific Islands**




Total No. of States: 13

Figure 8
**Reporting pattern for Eastern Europe 1992-2002**

Note: submissions for calendar year 2002 have not been completed

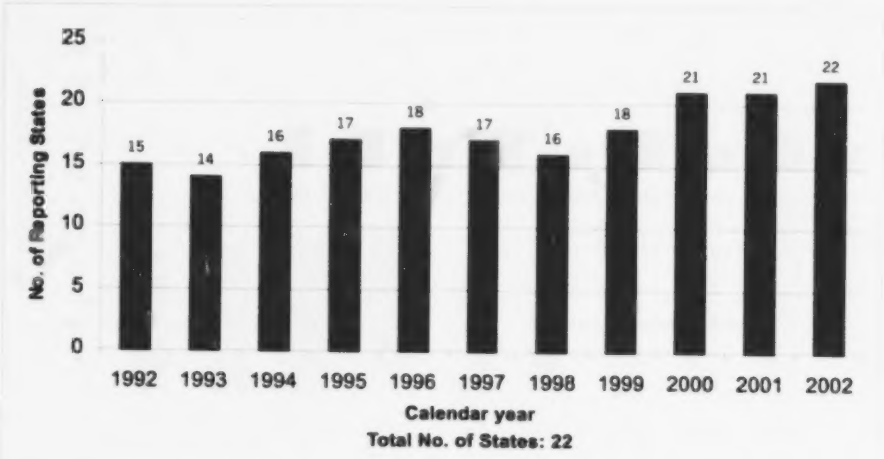



Figure 9
**Reporting pattern for Latin America/Caribbean 1992-2002**

Note: submissions for calendar year 2002 have not been completed

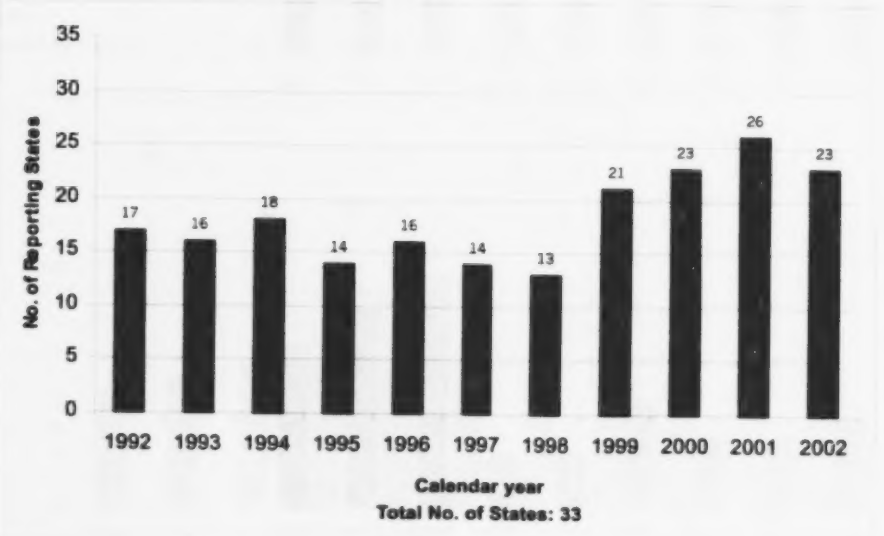


Figure 10
**Reporting pattern for Latin America and Caribbean**
(By geographical subregions)

Note: submissions for calendar year 2002 have not been completed

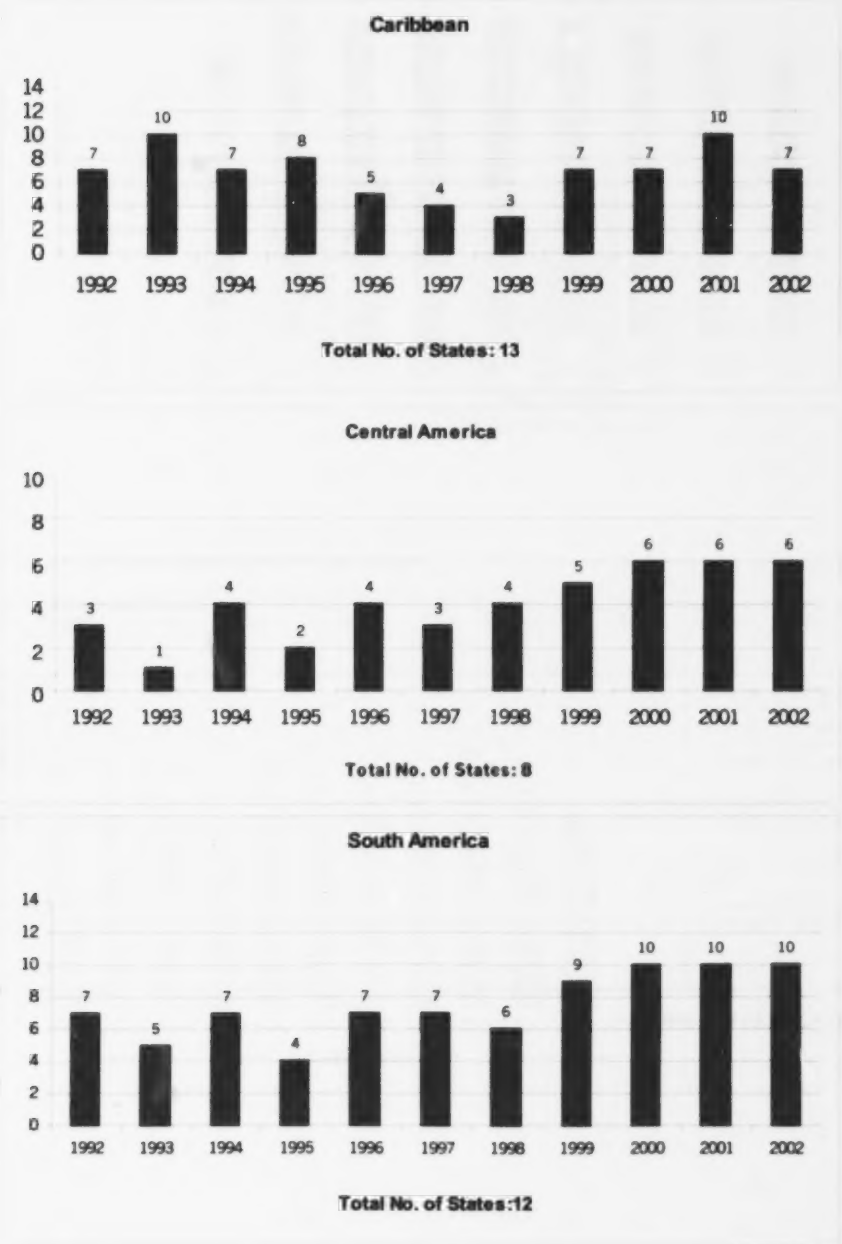


Figure 11
**Reporting patterns for Western Europe and Others 1992-2002**

Note: submissions for calendar year 2002 have not been completed

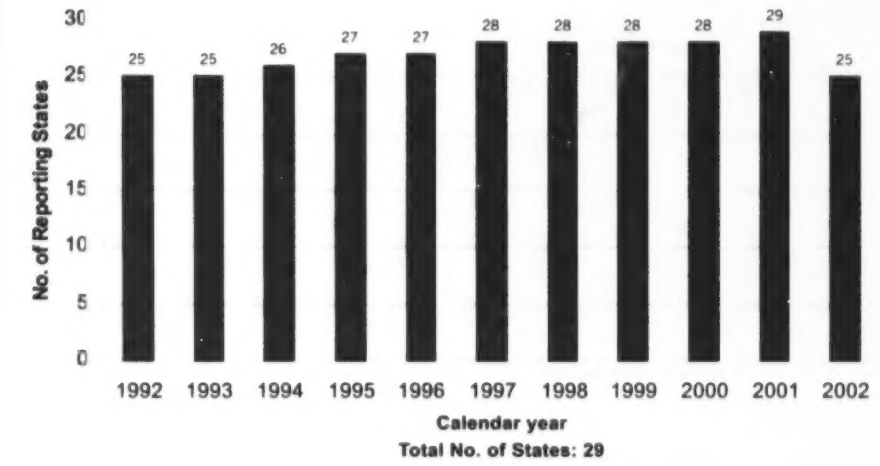



Table 1
**Regional reporting ratios**

| *Region* | *1992* | *1993* | *1994* | *1995* | *1996* | *1997* | *1998* | *1999* | *2000* | *2001* | *2002* |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Africa | 13 of 51 | 13 of 52 | 10 of 53 | 9 of 53 | 8 of 53 | 10 of 53 | 3 of 53 | 7 of 53 | 11 of 53 | 17 of 53 | 15 of 53 |
| Asia | 23 of 47 | 24 of 47 | 26 of 48 | 27 of 48 | 22 of 48 | 26 of 48 | 21 of 48 | 22 of 48 | 32 of 48 | 31 of 54 | 28 of 54 |
| Eastern Europe | 15 of 19 | 14 of 20 | 16 of 21 | 17 of 21 | 18 of 21 | 17 of 21 | 16 of 21 | 18 of 21 | 20 of 21 | 22 of 22 | 22 of 22 |
| Latin America and the Caribbean | 17 of 33 | 16 of 33 | 18 of 33 | 14 of 33 | 16 of 33 | 14 of 33 | 13 of 33 | 21 of 33 | 23 of 33 | 26 of 33 | 23 of 33 |
| Western Europe and Others | 25 of 25 | 25 of 27 | 26 of 27 | 26 of 27 | 26 of 27 | 28 of 28 | 28 of 28 | 28 of 28 | 28 of 28 | 29 of 29 | 25 of 29 |

*Note:* Table excludes Cook Islands and Niue.

Figure 12
**Reporting exports, imports and "nil" returns 1992-2002**

Note: submissions for calendar year 2002 have not been completed

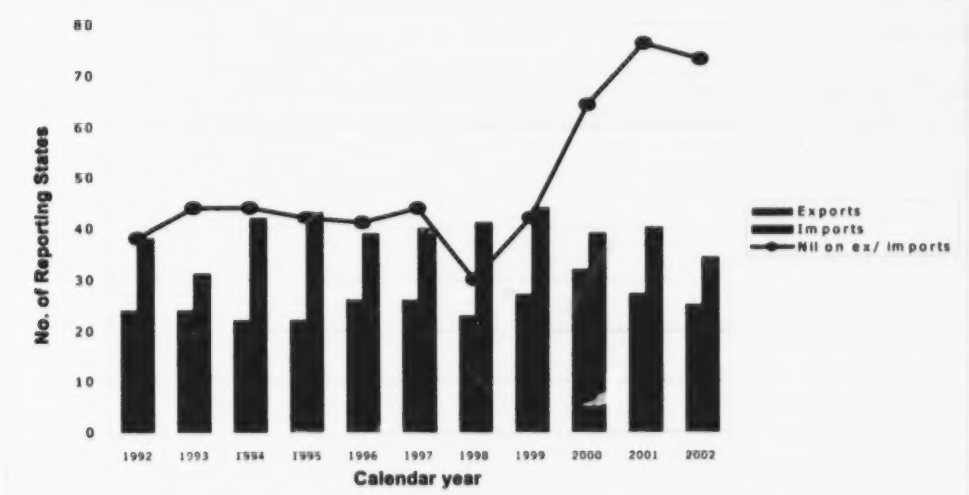
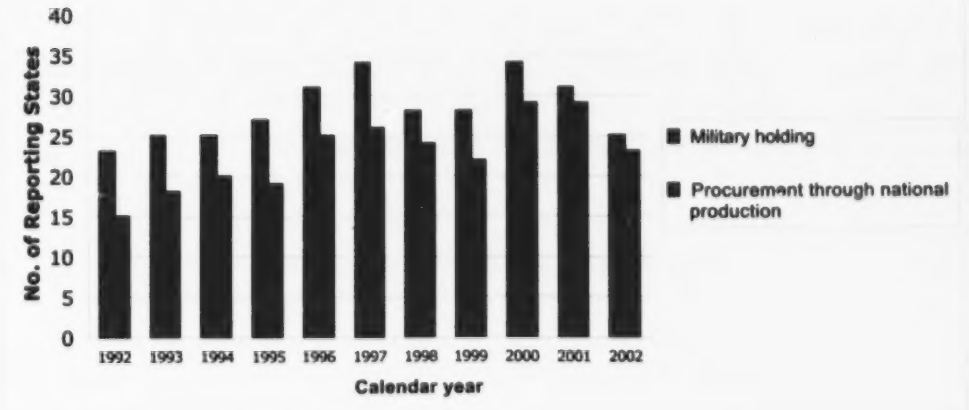



Figure 13
**Reporting of available background information**

Note: submissions for calendar year 2002 have not been completed



# Annex I

## Standardized form for reporting international transfers of conventional arms (exports)[a]

### Exports

### Report of international conventional arms transfers (according to United Nations General Assembly resolution 46/36 L)

Reporting country:

Calendar year:

National point of contact (FOR GOVERNMENTAL USE ONLY):

(Organization, Division/Section, Telephone, Fax, E-mail)

| *A* | *B* | *C* | *D*[b] | *E*[b] | *Remarks*[c] | |
|---|---|---|---|---|---|---|
| *Category (I-VII)* | *Final importer State(s)* | *Number of items* | *State of origin (if not exporter)* | *Intermediate location (if any)* | *Description of item* | *Comments on the transfer* |
| I. Battle tanks | | | | | | |
| II. Armoured combat vehicles | | | | | | |
| III. Large-calibre artillery systems | | | | | | |
| IV. Combat aircraft | | | | | | |
| V. Attack helicopters | | | | | | |
| VI. Warships | | | | | | |
| VII. Missiles and missile launchers[d] a) b) | | | | | | |

National criteria on transfers:

[a b c d] See explanatory notes.

The nature of information provided should be indicated in accordance with explanatory notes e and f.

## Explanatory notes

(a) Member States that do not have anything to report should file a "nil" report clearly stating that no exports or imports have taken place in any of the categories during the reporting period.

(b) International arms transfers involve, in addition to the physical movement of equipment into or from national territory, the transfer of title to and control over the equipment. Member States are invited to provide with their return a concise explanation of national criteria used to determine when an arms transfer becomes effective. (See paragraph 42 of the annex to document A/49/316).

(c) In the "Remarks" column, Member States may wish to describe the item transferred by entering the designation, type, model or any other information considered relevant. Member States may also wish to use the "Remarks" column to explain or clarify aspects relevant to the transfer.

(d) Multiple-launch rocket systems are covered by the definition of category III. Rockets qualifying for registration are covered under category VII. (See A/58/274, appendix.)

| (e) Check any of the following provided as part of your submission: | Check |
|---|---|
| (i) Annual report on exports of arms | ___ |
| (ii) Annual report on imports of arms | ___ |
| (iii) Available background information on military holdings | ___ |
| (iv) Available background information on procurement through national production | ___ |
| (v) Available background information on relevant policies and/or national legislation | ___ |
| (vi) Other (please describe) | ___ |

(f) When reporting transfers, which of the following criteria, drawn from paragraph 42 of the annex to document A/49/316, were used:

| | |
|---|---|
| (i) Departure of equipment from the exporter's territory | ___ |
| (ii) Arrival of equipment in the importer's territory | ___ |
| (iii) Transfer of title | ___ |
| (iv) Transfer of control | ___ |
| (v) Others (please provide brief description below) | ___ |

# Annex II

## Standardized form for reporting international transfers of conventional arms (imports)[a]

### Imports

### Report of international conventional arms transfers (according to United Nations General Assembly resolution 46/36 L)

Reporting country:

Calendar year:

National point of contact (FOR GOVERNMENTAL USE ONLY):

(Organization, Division/Section, Telephone, Fax, E-mail)

| *A* | *B* | *C* | *D* | *E* | *Remarks* | |
|---|---|---|---|---|---|---|
| *Category (I-VII)* | *Exporter State(s)* | *Number of items* | *State of origin (if not exporter)* | *Intermediate location (if any)* | *Description of item* | *Comments on the transfer* |
| I. Battle tanks | | | | | | |
| II. Armoured combat vehicles | | | | | | |
| III. Large-calibre artillery systems | | | | | | |
| IV. Combat aircraft | | | | | | |
| V. Attack helicopters | | | | | | |
| VI. Warships | | | | | | |
| VII. Missiles and missile launchers[c] a) b) | | | | | | |

National criteria on transfers:

[a] [b] [c] See explanatory notes.

The nature of information provided should be indicated in accordance with explanatory notes e and f.

## Explanatory notes

(a) Member States that do not have anything to report should file a "nil" report clearly stating that no exports or imports have taken place in any of the categories during the reporting period.

(b) International arms transfers involve, in addition to the physical movement of equipment into or from national territory, the transfer of title to and control over the equipment. Member States are invited to provide with their return a concise explanation of national criteria used to determine when an arms transfer becomes effective. (See paragraph 42 of the annex to document A/49/316.)

(c) In the "Remarks" column Member States may wish to describe the item transferred by entering the designation, type, model or any other information considered relevant. Member States may also wish to use the "Remarks" column to explain or clarify aspects relevant to the transfer.

(d) Multiple-launch rocket systems are covered by the definition of category III. Rockets qualifying for registration are covered under category VII. (See A/58/274, appendix.)

(e) Check any of the following provided as part of your submission: Check

(i) Annual report on exports of arms ___

(ii) Annual report on imports of arms ___

(iii) Available background information on military holdings ___

(iv) Available background information on procurement through national production ___

(v) Available background information on relevant policies and/or national legislation ___

(vi) Other (please describe) ___

(f) When reporting transfers, which of the following criteria, drawn from paragraph 42 of the annex to document A/49/316, were used:

(i) Departure of equipment from the exporter's territory ___

(ii) Arrival of equipment in the importer's territory ___

(iii) Transfer of title ___

(iv) Transfer of control ___

(v) Others (please provide brief description below) ___

# Annex III

## Simplified "nil" reporting form

### "NIL" report

The Government of _____, in reference to General Assembly resolution _____ of _____, confirms that it has neither exported nor imported any equipment in the seven categories of the United Nations Register of Conventional Arms for the calendar year _____, and therefore submits a "nil" return.

National point of contact
(FOR GOVERNMENTAL USE ONLY):

_____

(Organization, Division/Section,

_____

Telephone, Fax, E-mail)

# Annex IV

## Categories of equipment and their definitions

### I. Battle tanks

Tracked or wheeled self-propelled armoured fighting vehicles with high cross-country mobility and a high-level of self-protection, weighing at least 16.5 metric tons unladen weight, with a high muzzle velocity direct fire main gun of at least 75 millimetres calibre.

### II. Armoured combat vehicles

Tracked, semi-tracked or wheeled self-propelled vehicles, with armoured protection and cross-country capability, either: (a) designed and equipped to transport a squad of four or more infantrymen, or (b) armed with an integral or organic weapon of at least 12.5 millimetres calibre or a missile launcher.

### III. Large-calibre artillery systems

Guns, howitzers, artillery pieces, combining the characteristics of a gun or a howitzer, mortars or multiple-launch rocket systems, capable of engaging surface targets by delivering primarily indirect fire, with a calibre of 75 millimetres and above.

### IV. Combat aircraft

Fixed-wing or variable-geometry wing aircraft designed, equipped or modified to engage targets by employing guided missiles, unguided rockets, bombs, guns, cannons or other weapons of destruction, including versions of these aircraft which perform specialized electronic warfare, suppression of air defence or reconnaissance missions. The term "combat aircraft" does not include primary trainer aircraft, unless designed, equipped or modified as described above.

### V. Attack helicopters

Rotary-wing aircraft designed, equipped or modified to engage targets by employing guided or unguided anti-armour, air-to-surface, air-to-subsurface, or air-to-air weapons and equipped with an integrated fire control and aiming system for these weapons, including versions of these aircraft which perform specialized reconnaissance or electronic warfare missions.

## VI. Warships

Vessels or submarines armed and equipped for military use with a standard displacement of 750 metric tons or above, and those with a standard displacement of less than 750 metric tons, equipped for launching missiles with a range of at least 25 kilometres or torpedoes with similar range.

## VII. Missiles and missile launchers

(a) Guided or unguided rockets, ballistic or cruise missiles capable of delivering a warhead or weapon of destruction to a range of at least 25 kilometres, and means designed or modified specifically for launching such missiles or rockets, if not covered by categories I through VI. For the purpose of the Register, this sub-category includes remotely piloted vehicles with the characteristics for missiles as defined above but does not include ground-to-air missiles.

(b) Man-Portable Air-Defence Systems (MANPADS).